

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.959 of 2017

1. Ramashray Singh, Son of Late Nawjadik Singh.
2. Shanti Devi, Wife of Sri Ramashray Singh.
3. Birendra Kumar @ Pappu Kumar,
4. Jitendra Kumar,
5. Ranjay Kumar @ Dhananjay Kumar,
All sons of Shr Ramashray Singh, All residents of Village- Pothahi, Post
Office- Basuhar, Via- Punpun, PIN CODE- 804453, Police Station- Punpun,
District- Patna, State- Bihar.

... .. Petitioner/s

Versus

1. Brij Bihari Singh
2. Bijay Bihari Singh,
Both sons of Late Shatrughan Singh.
3. Surendra Bihari Singh
4. Upendra Bihari Singh.
5. Jitendra Bihari Singh,
All Sons of Late Bipin Bihari Singh All residents of Village- Pothahi, Post
Office- Basuhar, Via- Punpun, PIN CODE- 804453, Police Station- Punpun,
District- Patna, State- Bihar.
6. Mostt. Jankuri Devi, Widow of Late Mahendra Prasad Singh.
7. Nagendra Singh,
8. Ram Binoy Singh,
Both sons of Late Mahendra Prasad Signh,
All residents of Village Doripar, Post Office- Hansadih, Via- Masaurhi, PIN
CODE- 804455, Police Station- Masaurhi, District- Patna, State- Bihar.
9. Kamlata Devi, Daughter of late Mahendra Prasad Singh, Wife of Satish
Kumar, Resident of Village- Kamalpura, Post Office- Barah, Via- Punpun,
PIN CODE- 804453, Police Station- Punpun, District- Patna, State- Bihar.
10. Rubi Devi, Daughter of late Mahendra Prasad Singh, Wife of Basudeo
Singh, resident of Village- Tulsichak, Post Office- Gangachak, Via-
Masaurhi, PIN CODE- 804455, Police Station Masaurhi, District- Patna,
State- Bihar.
11. Arti Devi, Daughter of Late Mahendra Prasad Singh, Wife of Mukhia Singh,
resident of Village- Manoha-rpur, Decorator's Post Office and Police
Station-Bettiah, District- Bettiah, State- Bihar.
12. Sosolata alias Savista Devi, Daughter of Late Mahendra Prasad Singh, Wife
of Niranjan Singh, resident of Village and Post Office Jarkha, Via- Paliganj,
District- Patna, State- Bihar.

... .. Respondent/s



Appearance :

For the Petitioner/s : Mr. Shyam Kishore Sinha, Advocate
For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

5 16-07-2025 Record taken up on mentioning being made on behalf of the petitioners.

2. The learned counsel for the petitioners submits that the present petition has been filed against the order dated 22.03.2017 passed in Title Suit No. 424/2003 by the learned Sub Judge-VII, Patna on a petition filed under Order 18 Rule 17 of the Code of Civil Procedure for recall of certain witnesses for cross-examination. The learned counsel further submits that those witnesses have died during pendency of the present petition. Hence, the present petition has become infructuous. The learned counsel seeks permission to withdraw the present petition and also prays for directing the learned trial court to dispose of the Title Suit No.424 of 2003 at the earliest.

3. Having regard to the submission of learned counsel for the petitioners, the present petition is dismissed as withdrawn.

4. The learned trial court is directed to proceed in the matter considering the fact that title suit has been pending since 2003.

5. It is made clear that with the disposal of the present



petition, no stay is operating in the matter.

(Arun Kumar Jha, J)

V.K.Pandey/-

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