

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.367 of 2023

1. Aftab Hussain Son of Late Syed Shah Israr Hussain, Resident of Dargah Shah Arza, near Jama Maszid, P.S. Sultanganj, District-Patna.
2. S.M. Shakeel, Son of Late Syed Shah Israr Hussain, Resident of Dargah Shah Arza, near Jama Maszid, P.S. Sultanganj, District-Patna.
3. Jebi Jabin, D/o Late Syed Shah Israr Hussain, Wife of Syed Shah Samsad Hussain, Resident of Dargah Shah Arza, near Jama Maszid, P.S. Sultanganj, District-Patna.

... .. Petitioner/s

Versus

1. Tabassum Ara D/o Late Hafizullah, Wife of Late Shaukat Ali, resident of Mohalla-Mohammad Lane No. 1, Bistupur, P.S. Sakchi, District-East Singhbhum (Jamshedpur), Jharkhand.
2. Kulwanti Devi Wife of Late Ramdeo Mahto, Resident of Dhanuki P.S. Agam Kuan, District- Patna.
3. Pramila Devi D/o Late Ramdeo Mahto, Wife of Sunil Kumar, Resident of Village - Dharari, P.O. and P.S. - Ara Town, District- Bhojpur.
4. Daso Mahto Son of Late Fauzdari Mahto, Resident of Jaypur Dhanuki, P.O. and P.S. Agamkuan, District- Patna.
5. Dev Saran Mahto Son of late Daso Mahto, Resident of Jaypur Dhanuki, P.O. and P.S. Agamkuan, District- Patna.
6. Suresh Mahto Son of Daso Mahto, Resident of Jaypur Dhanuki, P.O. and P.S. Agamkuan, District- Patna.
7. Ram Briksh Mahto Son of Late Lakhan Mahto, Resident of Jaypur Dhanuki, P.O. and P.S. Agamkuan, District- Patna.
8. Shiv Saran Mahto Son of Late Lakhan Mahto, Resident of Jaypur Dhanuki, P.O. and P.S. Agamkuan, District- Patna.
9. Gajendra Narayan Saxena Son of Rameshwar Prasad Saxena Resident of Diwan Mohalla, Nauzar Ghat, P.O. Jhauganj, P.S. Khajekalan, District - Patna so called convener and secretary of a Fake namely Maharaj Kuer Roop Narayan Singh Trust.
10. Maharaj Kuer Roop Narain Singh Trust Kumhrar, P.S. Aamkuan District- Patna.
11. The Hindu Religious Trust Board, Through its Chairman, P.S. Kotwali, District- Patna.
12. The State of Bihar Through the District Magistrate cum Collector, Patna.
13. Abdul Halim Khan Son of Habib Khan, Resident of Narayan, P.S. Mahnaz District- Vaishali (Old Muzaffarpur).
14. Lallu Mian Son of Late Chhotay Abdul Aziz, Resident of Dargah Shah Arzan, P.S. Sultanganj, District- Patna.
15. Masood Fatima, D/o late Shah Syed Asfique Hussain, Resident of Dargah Sah Arzan, P.S. Sultanganj, District- Patna.



16. S.M. Shakeel, Soin of Late Shah Issrar Hussain, Resident of Village Dargah Sah Arzan, P.S. Sultanganj, District- Patna.
17. Jebi Jabin D/o - Late Shah Issrar Hussain, Resident of Dargah Sah Arzan, P.S. Sultanganj, District- Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar
For the Respondent/s : Mr.Md. Anisur Rahman

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

8 02-02-2026 The instant civil miscellaneous application has been filed for setting aside the order dated 16.12.2022 passed in Title Suit No. 67 of 1995 by learned Sub-Judge VI, Patna City whereby he has allowed the intervenor to be impleaded as defendant on the basis of application filed by her on 05.12.2022 under Order I, Rule 10(2) of Code of Civil Procedure r/w Section 151 of Code of Civil Procedure.

2. Title Suit No. 67 of 1995 has been filed by the plaintiff against the defendant meanwhile intervenor has filed a petition claiming the suit property on the basis of Hukumnama settlement and by the impugned order, the learned Trial Court has allowed his petition of impleadment for proper and complete adjudication of the suit. There is no illegality and impropriety in the impugned order. Moreover, petitioner has not impleaded the plaintiff of the Title Suit No. 67 of 1995 in the present civil miscellaneous case who is master of the above Title



suit. So, on this score also, this case is not maintainable.

3. In view of the aforesaid facts and circumstances, this Court is of the considered opinion that the present civil miscellaneous is devoid of merit and is, accordingly, rejected.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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