

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.839 of 2025

1. Pratima Gupta wife of Late Krishna Kumar Resident of Mahua Singh Rai, P.S.- Mahua, Dist.- Vaishali, Bihar.
2. Anmol Kumar son of Late Krishna Kumar Resident of Mahua Singh Rai, P.S.- Mahua, Dist.- Vaishali, Bihar.
3. Jai Prakash Gupta son of Late Vishwanath Sah Resident of Mahua Singh Rai, P.S.- Mahua, Dist.- Vaishali, Bihar.
4. Om Prakash Gupta son of Late Vishwanath Sah Resident of Mahua Singh Rai, P.S.- Mahua, Dist.- Vaishali, Bihar.
5. Vijay Kumar Gupta @ Vijay Kumar son of Late Vishwanath Sah Resident of Mahua Singh Rai, P.S.- Mahua, Dist.- Vaishali, Bihar.
6. Sanni Kumar son of Vijay Kumar Gupta Resident of Mahua Singh Rai, P.S.- Mahua, Dist.- Vaishali, Bihar.
7. Deepak Kumar son of Jai Prakash Gupta Resident of Mahua Singh Rai, P.S.- Mahua, Dist.- Vaishali, Bihar.

... .. Petitioner/s

Versus

Most. Sandhya Devi wife of Late Jagannath Singh, Resident of Resident of Mahua Singh Rai, P.S.- Mahua, Dist.- Vaishali, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Rakesh Kumar Soni
For the Respondent/s	:	Mr. Surendra Kumar Singh

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

4 02-02-2026 Heard learned counsel for both the parties.

2. The instant civil miscellaneous application has been filed against the order dated 13.06.2025 passed by learned Civil Judge Junior Division-II, Vaishali at Hajipur in Eviction Suit No. 03 of 2018 whereby the petition filed by the petitioners/defendants dated 03.03.2025 for making of exhibits of certain documents i.e. a diary and statements



of Bank account has been rejected on the ground that issues have already been framed and further the documents are private documents.

3. Learned counsel for the petitioner submits that Eviction Suit No. 03 of 2018 was filed by the respondent/plaintiff for eviction of the defendant from the suit property on the grounds of default in payment of rent and personal necessity. During the course of arguments, a petition was filed on behalf of the petitioner/defendant seeking to mark two private documents, namely a diary and a bank account statement, as exhibits. However, the said documents were not taken into evidence by the learned Trial Court.

4. Learned Trial Court has mentioned this fact that the parties are entitled to produce all the documentary evidence of every description in their possession or power, at or before the settlement of issues. The diary and the bank statement were admittedly within the knowledge and possession of the petitioner/defendant, yet the same were not produced within the stipulated time. Considering that the suit is of the year 2018, the learned Trial Court has



rightly dismissed the petition filed on behalf of the petitioner/defendant.

5.In view of the aforesaid facts and circumstances, this Court is of the considered opinion that the present case is devoid of merit and is, accordingly, dismissed.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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