

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.51 of 2019

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Kunal Ravi Singh S/o Late Chandra Bhushan Singh, Resident of Mohalla- Chhoti Kanjarpur, Shivajee Path, S.M. College Road, P.S.- Barari, District- Bhagalpur, at present residing at Krishna Apartment Coloney More 3rd Floor, Kankarbagh, Patna.

... .. Petitioner/s

Versus

1. Sharda Devi and Ors W/o Late Chandr Bhushan Singh,
2. Kunal Shashi Singh, S/o Late Chandra Bhushan Singh, Both resident of Shivajee Path, S.M. College Road- Chhoti Khajarpur, P.S.- Barari, District- Bhagalpur.
- 3.1. Shyamlal Das Son of late Gonu Das, Resident of Mohalla - Chhoti Khanjarpur (Near Makbara) P.S. Bavari, District- Bhagalpur.
- 3.2. Prabhakar Kumar Son of Shyam Lal Das, Resident of Mohalla - Chhoti Khanjarpur (Near Makbara) P.S. Bavari, District- Bhagalpur.
- 3.3. Pradip Kumar Son of Shyam Lal Das, Resident of Mohalla - Chhoti Khanjarpur (Near Makbara) P.S. Bavari, District- Bhagalpur.
- 3.4. Sarita Devi Wife of Vinay Kuamr Das, D/o Shyam Lal Das Resident of Mohalla - Goradih, P.S. - Goradih, District- Bhagalpur.
4. Pawan Kumar, S/o Hari Prasad Yadav, Resident of Mohalla- Bari Khanjarpur P.S.- Barari, District- Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Bimlendu Shekher Thakur
For the Respondent/s : Mr.

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

6 29-01-2026 The instant Civil Miscellaneous application has been filed for quashing the order dated 14.09.2018 passed by learned Judicial Magistrate, 1st Class, Bhagalpur in Title Suit No. 28 of 2008 by which the learned Judicial Magistrate has been pleased to reject the petition dated 06.04.2018 filed on behalf of the petitioner under Order I



Rule 10(2) of the Code of Civil Procedure for adding him as intervenor defendant in the suit.

2. Learned counsel for the petitioner submits that intervenor/petitioner Kunal Ravi Singh is one of the sons of late Chandra Bhushan Singh and the Title Suit No. 28 of 2008 has been filed by the wife of intervenor petitioner as well as his one of the brother to declare the sale deed as null and void purported to be executed by his mother and his brothers namely, Kunal Shashi Singh and Kunal Sunny Singh on 29.08.2003.

3. Although the aforesaid sale deed has not been executed by the present intervenor/petitioner, he claims to be one of the sons of Late Sharda Devi, and asserts that the suit property is ancestral in nature, in which he has right, title, and interest. In view of the said claim, his impleadment is necessary for the proper and complete adjudication of the issues involved in the present case.

4. In view of the above facts, the impugned order dated 06.04.2018 passed by learned Judicial Magistrate, 1st Class, Bhagalpur is set aside. Let the petitioner be impleaded as one of the defendants in Title Suit No. 28 of



2008.

5. With the aforesaid, the instant application stands allowed and disposed of.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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