

In the Court of Addl. District and Sessions Judge, Manjhaul(Begusarai)
Title Appeal No-01/2010

- 29.04.2024** 1. Ld. counsel Sri. Arbind Singh appearing on behalf of the appellants draws the attention of this court to order dated 12.01.2024 passed by hon'ble high court in CWJC No-70/2017 and submits that the documents, the certified copy of judgment passed in 32/2065 by the court of Sub-Judge-I, Begusarai the compromise petition and the final decree along with the report of the commissioner and together with final decree may be exhibited in the light of order of the hon'ble high court. Ld. Counsel further submits that earlier a prayer was made to call for the record of 32/1965 which is noted in the order sheet that the record has been receipt and attached but the same is not found with the record.
2. Ld. Counsel Sri. Shakeel Ahmad objects and submits that no doubt the other documents would be exhibited but not the compromise petition which is private document and refers para no-14 on page no-14 of the order of the hon'ble high court. After some hearing ld. Counsel prays for adjournment.
3. Ld. Counsel for the appellants is asked by the court whether the original record of title partition suit no-32/1965 is still required? Ld. Counsel replies that he has already filed the relevant documents of the record (certified copy of) so even if the original record of title partition suit no-32/1965 is not there with the record appellants is not going to be prejudiced. Heard the prayer for adjournment of respondents, Allowed. As far as the record of title partition suit no-32/1965 is concerned the hearing shall not be hampered for want of original record of title partition suit no-32/1965 however the O/C may enter into correspondence with the O/c of the transferer court to ensure the availability of the original record of title partition suit no-32/1965 in the transferer court.
4. As per para no-16 the disposal is directed to be within a time limit which is already expired. Let a letter be written to hon'ble high court for extension of limit of time. Put up this record again on 04.05.2024 for hearing the matter upon which the hearing is adjourned today.

Addl.S.J., Manjhaul