

In the Court of : **SUB-JUDGE-I, BAKHRI, BEGUSARAI**
Present: **MANOJ KUMAR SINGH, CIVIL JUDGE (Sr. Div.)**
Title Suit No.-162/1994, CIS Reg. No.-162/1994



In the matter of-

Anandi Yadav & Ors.

..... Plaintiffs

BRBE220000011994

Vs.

Puran Yadav & Ors.

..... Defendants

Sl.	Date of Order of proceedings	Order with signature of the Court	Office action taken with date
1	2	3	4
	29.07.25	<p>Parties are in attendance. Today the case record is put up before me for order after hearing on the petition dt.- 18.04.23 under O-I, R-10(2) of CPC on behalf of intervenor petitioners namely (1)Sanjeevan Yadav s/o-Ram Japo Yadav, (2) Ramjivan Yadav s/o-Ram Japo Yadav, Both Resident of village-Vijay Narayan Ward no.-01 Dunhi, P.S. and P.O. Garhpura, District-Begusarai. Plaintiff's Rejoinder dt.-24.07.24 is present on record.</p> <p style="text-align: center;"><u>ORDER</u></p> <p>Present petition dt.- 18.04.23 under O-I, R-10(2) of CPC on behalf of intervenor petitioners namely (1)Sanjeevan Yadav s/o-Ram Japo Yadav, (2) Ramjivan Yadav s/o-Ram Japo Yadav, submitting therein that the plaintiffs have filed the present suit for partition the suit land. The plaintiffs had wrongly filed the instant suit for partition of the ancestral land by furnishing wrong Genealogical Tree. The plaintiffs have wrongly mentioned in G.T. by putting themselves as co-sharers to the defendant no.6 to 8. The real fact is this that they are stranger to the family of the defendants no.6 to 8. The plaintiffs have made the party to the father of the petitioners as defendant No.-6 and their two brothers as defendant No.7 and 8. The defendant No. 7 and 8 have challenged their L.T.I. over the alleged W.S of these defendants. It has been further submitted that the defendant No.-8 Divesh Yadav used to put his signature hence no question to put his L.T.I. over the alleged written statement arises. It is further that the as plaintiffs deliberately not made party to these petitioners. They have also not made party to the four daughters of defendant-6 namely (1)Sailaj Devi wife of Shambhu Yadav village-Rajaur, P.S.-Garhpura District Begusarai, (2)Bimal Devi wife of Shekher Yadav village-Rajaur P.S.-Bithan, District-Samastipur and Pawan Devi. Pawan Devi died leaving behind his husband Lalo Yadav and three sons namely Deepak Kumar, Rahul Kumar and Dilkhush Kumar and one daughter namely Rani. They are living in village-Hassanpur, P.S.-Hassanpur and District- Samastipur. Four daughters and these two petitioners are necessary to the suit. Since all the four daughters are not ready to come before the court without summons of this learned court hence, they are not in the category of these petitioners. The plaintiffs have wrongly furnished the G.T. of Ram Japo as he has only two sons though he had four sons and 4 daughters and they have also shown in the suit property. If these petitioners are not</p>	

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	<u>Continued</u> 29.07.25	<p>allowed then the petitioners would suffer a great loss. The petitioners have also share in the suit property. Ld. counsel of the petitioner prayed that for the ends of justice, as well as necessary party of the suit, these petitioners be added in the category of the defendants and the further be pleased to direct plaintiffs to add the name of four daughters of Ram Japo Yadav, defendant No.6, in the category</p> <p>The Ld. Counsel of plaintiff opposed the intervenors' petition dt.-18.04.2023 through rejoinder dated 24.07.24. The ld. counsel of plaintiff submitted that the present suit is much old about 30 years and in the present suit the evidence of plaintiff has been closed on 03.07.2012 and the case record was posted for the evidence of defendants. Ram Japo Yadav, the father of petitioner no.1 of the present petition had filed an affidavit of his evidence and discharged to be cross-examined on dated 17.07.2012. On 04.08.12 a petition was filed to exhibit mark of orders sheet of T.S. No.190/2002 and order-sheet u/o- 145 of Cr.P.C. which was allowed with no objection. On 11.10.2012 a petition was filed on behalf of defendant no.01 Puran Yadav, defendant no.02 Ghuran Yadav, defendant no.05 Deena Yadav, defendant no.10 Musaharu Yadav, defendant no. 11 Ramrup Yadav, defendant no.12 Jhoti Yadav, defendant no.13 Lalo Yadav with fresh power. Rejoinder of it had been filed on 11.12.2012. On 10.01.2013 the petition of defendant of aforesaid date was allowed. The suit is being prolonged on the various frivolous petition of defendant whereas same witnesses of defendants have been examined and the case record has been posted for the evidence of defendant since 17.07.2012. W.S. of defendant no. 06 to 08 was filed and accepted also that time to the date of examination of Ram Japo Yadav the present petitioners were knowingly and deliberately silent. The present petition has been filed by the petitioners to linger the case and harass the plaintiffs as the present petitioners and his father and brothers have taken unlawful possession over more than 5 Bigha land of plaintiff forcefully and getting its product unlawfully. The petition under the present rejoinder petition has no merit as they would get their share in the share allotted to their father namely Ram Japo Yadav the defendant no.06. Ld. counsel for plaintiffs prayed to reject the petition dt. 18.04.2023. with cost.</p> <p>Heard, carefully considered the rival submissions, and perused the record. From perusal of the record, it transpires that it is a suit for partition brought by plaintiffs against defendants</p>	

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