

In the Court of : **SUB-JUDGE-I, BAKHRI, BEGUSARAI**
Present: **MANOJ KUMAR SINGH, CIVIL JUDGE (Sr. Div.)**
Title Suit No.-242/2007, CIS Reg. No.- 242/2007



In the matter of-

Meera Devi & Ors.

..... Plaintiffs

BRBE220000012007

Vs.

Ram Uday Mahto & Ors.

..... Defendants

Sl.	Date of Order of proceedings	Order with signature of the Court	Office action taken with date
1	2	3	4
	07.01.26	Both parties are in attendance. Today the instant case record is put up for order after hearing on petition dt.-16.07.25 filed on behalf of plaintiffs and its rejoinder dt.-15.10.25. <u>ORDER</u> Present application dated 16.07.25 has been filed by plaintiffs praying therein to call for the Thumb Impression Register from District Registrar Office, Khagaria related to the thumb impression of Registered Sale Deed dt. 17-04-1990 executed by Janki Devi in favour of defendant 1st party in suit. Ld. counsel of plaintiff has further submitted that prior to the instant petition the plaintiffs have filed a petition on 07-08-2017 in suit praying therein that to call for the thumb impression register from District Registrar Office, Khagaria related to the thumb impression of Registered Sale Deed dt.-17-4-1990 executed by Janki Devi in favour of the defendant 1st party which was allowed on 07-02-2018 and accordingly one Thumb Impression Register from District Registrar Office Khagaria has been attached with the record of this suit on 3-8-2023. On 21-11-2024 the aforesaid thumb impression register has been received by one Ramprit Paswan from the instant suit according to the Letter No. 708 dated 18-11-24 issued by the office of District Registrar Khagaria along with an undertaking that whenever the said thumb impression register required, it will be made available to the court. For the comparison to the thumb impression of Janki Devi related to the registered sale deed dt. 17-4-1990 upon the thumb impression register from District Registrar, Khagaria with thumb impression of Janki Devi related to the registered sale deed dated 18-11-1991 and 12-02-1992 in the thumb impression registers from District Registrar, Begusarai, it is desirable to call for the thumb impression register of the year 1990 related to the registered sale deed dated 17-4-1990 from District Registrar, Khagaria in this suit. This petition is also verified and supported by an affidavit. Ld. counsel prayed to call for the thumb impression registered related to the registered sale deed dated 17-4-1990 executed by Janki Devi in favour of defendant 1st party from District Registrar, Khagaria in this suit.	

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	<u>Continued</u> 07.01.26	The petition dated 16.07.25 has been contested by defendants through rejoinder dated 15.10.25 stating that the petition filed by the plaintiff on dated 15.09.2023 is not maintainable. The plaintiff has neither right title and possession over the suit land nor she is concerned with the suit land in any manner. All the allegations made by the plaintiff have already been denied by these defendants through their written statement with full description. The plaintiff has lost a legal limitation period in accordance with limitation act to challenge the sale deed dated 18.11.1991 and 12.02.1992. As per the concept of the science the ink itself starts to loss its existence after a passing more than a decade. It is clear that at present the period of execution of those sale deeds has been completed more than three decades so, naturally the same ink and the trace of the lines of thumb impression would not be clear in comparison of the photocopy and original sale deeds. On the other hand a distant relative of the plaintiff holds a high political approach who has directed and assured her to help in FSL laboratory so, the real dispute and real examination would be observed through the material and evidences available before court which does not require to go in the said process as asked by the plaintiff. is therefore prayed that your honour may graciously be pleased to reject the petition of the plaintiff and proceed the case for further step. Heard and perused the record. From perusal it is evident that the Thumb Impression Register from District Registrar Office, Khagaria, related to the thumb impression of Registered Sale Deed dated 17.04.1990 executed by Janki Devi In favour of defendant 1st party, had already been called for by this court Vide order dated 07.02.2018 and in compliance of said order the LTI Register Catalogue no.-21, Volume no.-9 for the year 1990 was received by this court from District Registrar Office, Khagaria. Later on, the Sub-Registrar, Khagaria requested this court to return the said thumb impression register with assurance that whenever required the said Thumb Impression Register shall be made available to the court. Consequently, the Said Thumb Impression Register was returned to the Registrar Office, Khagaria on 21.11.24 with	

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	<u>Continued</u> 07.01.26	direction to make available the same whenever required by this court. It is well settled that when a sale deed's thumb impression is in dispute the Thumb Impression Register is Benchmark Document for forensic comparison as it is the most reliable source for comparison. In absence of the register the evidentiary value of compression is diminished. The matter before this Court concerns the genuineness of the thumb impression appearing on the Registered Sale Deed dated 17.04.1990 executed by Janki Devi In favour of defendant 1st party. In order to ascertain the truth and for proper appreciation of evidence, it appears necessary to call for the Thumb Impression Register maintained in the office of the Sub-Registrar, Khagaria, wherein the thumb impression of the executant was taken at the time of registration of the aforesaid deed. The objections raised by defendants do not appear convincing to this court. Considering facts and circumstances of the case the plaintiffs' petition dt.- 16.07.25 is hereby ALLOWED. Accordingly, <i>Office is directed to call for the Thumb Impression Register from District Registrar Office, Khagaria, related to the thumb impression of Registered Sale Deed dated 17.04.1990.</i> <i>It is further directed that the concerned officer shall also certify that the register produced is the official record maintained in the ordinary course of business under the Registration Act, 1908.</i> Put up on for further proceedings. (Manoj Kr Singh) Sub-Judge-I, Bakhri, Begusarai.	