

**IN THE COURT OF MUNSIF, TEGHRA, BEGUSARAI,  
BIHAR**

**Title Suit No. 73/2015**

**In the matter of:**

**Kari Gope & Ors.**

**.....Plaintiff**

Versus

**Bibhesh Kr. Singh & Ors.**

**... Defendant**

*Presided over by:-*  
**Shri Shailendra Kumar**  
**Munsif, Teghra, Begusarai**

*Present:* Ld. counsel for the Plaintiff: Sh. Anjani Kumar Singh, Adv.  
Ld. counsel for the Defendant: Sh. Girish Kumar Singh, Adv.

**ORDER**

**22.08.2024.** Case was called out. Counsels for the Plaintiffs and the Defendants appeared. A joint submission was tendered by both the counsels that though the matter is fixed for evidence, issue has not been framed in the instant suit. It was also tendered by them that proposed issues have been filed on their behalf and is attached with the record, hence, prayed to frame the issue, in the interest of justice.

Perused the record. From perusal of the record, it appears that the case is running on evidence. Further, it also appears that the issue could not have been framed. In such circumstances, proceeding with the evidence, without determining the issues involved in the instant suit, shall vitiate the whole proceeding of the case, therefore, in the interest of justice, it is pertinent to frame the issues involved in the case.

Heard both the Ld. Counsels on the point of framing of issues for the instant suit and also perused their proposed issues, respectively. After hearing both the parties and their submissions, this Court deemed it fit to determine the following issues to be adjudicated:

1. Whether the suit is maintainable?
2. Whether this suit is barred by the laws of limitation, estoppel, waiver, acquiescence and also under section 34 of the Specific Relief Act?

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3. Whether the alleged unregistered *Hukumnama* of Plaintiffs of the year 1942, for a consideration of ₹200 is legal, valid and operative document?
4. Whether the plaintiffs are entitled for a decree of declaration of title and confirmation of possession of the suit land?
5. Whether the plaintiffs are entitled for a decree in their favour, to set aside and cancellation of sale deed dated 11.03.2014, executed in the names of Defendants first party?

With this order, the aforesaid issues are being framed for the instant suit. Parties are directed to adduce evidence accordingly.

**Sd/-**  
**Munsif**  
**Teghra, Begusarai**  
22.08.2024