

IN THE COURT OF MUNSIFF, TEGHRA, BEGUSARAI, BIHAR

Title Suit. No. 73/2015

Presided over by:-

**Shri Shailendra Kumar
Munsif, Teghra, Begusarai**

Kari Gope & Ors.

V. Bibhesh Kumar Singh & Ors.

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Judgment Pronounced By:-

**Shailendra Kumar
Munsif
Teghra, Begusarai, Bihar.**

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

Title Suit No. 73/2015

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Munsif, Teghra, Begusarai**

IN THE MATTER OF:

1. Kari Gope

S/O- Late Dhaneshwar Gope

2. Mantosh Gope

3. Santosh Gope

Both S/O- Kari Gope

4. Sukhdeo Gope

S/O- Dhaneshwar Gope

5. Rajesh Kumar

6. Chhotu Kumar

Both S/O- Sukhdeo Gope

7. Most. Manju Devi

W/O- Late Parsadi Gope

8. Pawan Kumar

9. Rajan Kumar

10. Sajan Kumar

Trio S/O- Late Parsadi Gope

All R/O- Village- Bajalpura

Bhagwati Asthan, P.S.- Teghra,

Distt. Begusarai.

..... PLAINTIFFS

VERSUS

1. Bibhesh Kumar Singh

S/O- Late Ramanand Singh

2. Sanjeeb Kumar Diwakar

S/O- Late Ashok Kumar Singh

Both R/O- village- Bajalpura,

P.S. Teghra, District- Begusarai.

..... DEFENDANTS 1st Party

3. Rajesh Kumar Singh

S/O- Late Ram Deo Singh

4. Balbir Singh

S/O- Chandra Mohan Singh

Both R/O- village- Bajalpura,

P.S. Teghra District- Begusarai.

..... DEFENDANTS 2nd Party

5. Kartik Prasad Verma

S/O- Late Sukhdeo Sahay

R/O- village- Bajalpura,

P.S. Teghra District- Begusarai.

..... DEFENDANTS 3rd Party

Kari Gope & Ors. v. Bibhesh Kumar Singh & Ors.

Title Suit. No.- 73/2015

Date of Judgment: 19.03.2026

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Ld. Counsel for the Plaintiffs : *Shri Anjani Kumar Singh, Advocate.*

Ld. Counsel for the Defendants: *Shri Girish Prasad Sinha, Advocate.*

JUDGMENT

I. The instant suit has been filed by the Plaintiffs for a decree, seeking following reliefs:

(a)“A decree of declaration of title and confirmation of possession may be passed in favour of Plaintiffs.”

(b)“A decree for set-aside and cancellation of sale deed in the name of Defendants 1st Party dated 11.03..... in favour of Plaintiffs.”

(c) “A decree of cost of litigation may be passed in favour of Plaintiffs.”

(d)“Any other relief or reliefs may be passed in favour of Plaintiffs which the court may deem just, fit and proper.”

(e)“If the Defendants No. 1 to 5 will dispossess the Plaintiffs, they shall amend their plaint.”

Description of the Schedules, as per the Plaint-

Schedule – “A”

Genealogical Table, which is mentioned in the Plaint.

Schedule – “B”

Pergana- Malki, **Mauza** -Gaura, **Thana No.** -329, **Touzi No.** -2561(C) and 323 (B).

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KHATA NO.	CS KHESRA NO.	AREA B. K. D.	BOUNDARY
4891	11726 11725	00.04.00	<p>North- Rasta brick soling.</p> <p>South- Remaining land of seller.</p> <p>East- Arun Sah, Baunu Sah and others.</p> <p>West- Jagdish Singh.</p>

II. CASE OF THE PLAINTIFFS

1. The Plaintiffs have own and possessed the land situated at *mouza-Gaura, pergana- Malki, Thana No. 329, Mahal Niyamatpur Lakhraj Malhipur, Touzi No. 323(B)*, under *khata* No. 4891 *khesra* No. 11726 bearing an area 06 *katha* and 15 *dhur* land from their ancestor *Pampal Gope* and his successors.
2. The Genealogical table is given at the foot of this plaint in **Schedule-A**.
3. The above mentioned land is written in *khatiyān* as *kothi Neel Begamsarai* in raiyat column and name of obtaining rent as land lord is *Sekh Husain Bux* alias *Chethru* and others.
4. After some period of survey *Neel Kothi Begumsarai* submitted the land voluntarily to the person obtaining the rent as land lord *Seikh Hussain Bux @ Chethru* and others.
5. In this way the then land lord *Seikh Hussain Bux* alias *Chethru* and his brother *Seikh Ali Hussain* alias *Bhupa* became free land lord from *Neel Kothi* of the British Government.
6. In the year 1336 *Fasli*, the then landlord settled the land under *khesra*

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no. 11726, in favour of their *raiyat Pampal Gope* son of *Lalit Gope* of village *Bajalpura* by means of "*Hukumnama*" and gave receipt of the land.

7. In the year, when *zamindari* was vested the ex-landlord submitted return in the name of *Pampal Gope* son of *Lalit Gope* about the land of *khesra* no. 11726 at *mouza Gaura, Pergana Malki, P.S. Teghra, District Begusarai* and on the basis of return submitted by ex-landlord *Jamabandi* No. 2 was created in *Serista* of *Anchal* at *mouza Gaura* was created under Bihar Government.
8. *Pampal Gope* had been paying rent and obtained rent receipt in Bihar Government in *jamabandi* No. 2 in the year 1961-62, 1962-63, 1963-64, 1964-65, 1965-66 and soon upto the year 1990-91.
9. After some period, *Pampal Gope* died leaving behind his two sons *Bhuttu Gope* and *Dhaneshwar Gope*. *Bhuttu Gope* died leaving behind his one son *Parsadi Gope*. *Parsadi Gope* died leaving behind his wife, *Most. Manju Devi* and three sons *Pawan Kumar, Rajan Kumar* and *Sajan Kumar*.
10. In the same way *Dhaneshwar Gope* died leaving behind his son *Kari Gope* and *Sukhdeo Gope*. *Kari Gope* has two sons *Mantosh Kumar* and *Santosh Kumar* and *Sukhdeo Gope* also has two sons *Rajesh Kumar* and *Chhotu Kumar* who are minors and under the guardianship of their respective father.
11. In the year 2010 when successors of *Pampal Gope* tried to pay rent then the Circle Officer, *Teghra* created *Jamabandi* No. 4117 in the name of *Pampal Gope* son of *Lalit Gope* and in this way they obtained rent receipt upto the year 2013-14, 2014-15.
12. On 11.03.14, Defendants 1st Party prepared an illegal sale deed for the lands of *khesra* no. 11725 and *khesra* no. 11726 bearing an area of 04

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katha jointly amalgamated with boundaries north- *Rasta* bricks soling, South-Remaining land of seller, East-*Arun Yadav* and *Baunu Yadav* and others West-*Jagdeo Singh* and others in favour of Defendant 1st Party as vendee from Defendant 3rd Party as vendor and showing Defendants 2nd Party as witnesses. In this way all Defendants no. 1 to 5 had committed criminal conspiracy, forgery and cheating.

III. CASE OF THE DEFENDANTS

In response to the plaint and in order to contest the suit filed by the Plaintiffs, the Defendants 1st Party preferred to file written statement dated 28.04.2017. The case of the Defendants 1st Party, in brief, is as follows:

Written Statement of Defendants 1st party.

1. The Defendants 1st Party has declared the suit as framed is not maintainable, Plaintiffs suing without right to sue and valid cause of action for the suit.
2. The suit was declared to be barred by law of limitation, estoppel, acquiescence and Sec. 34 of Specific Relief Act and other relevant acts.
3. It was declared that the Plaintiff has claimed suit land on the basis of alleged *Khista Hukumnama* purported to be granted by Late *Husain Baksh @ Chethru* and Late *Shekh Ali Hasan @ Bhopat* but they did not implead their legal heirs as parties to the suit as such present suit is barred by non-joinder of necessary party.
4. The grandson of Late *Hussain Baksh @ Chethru* namely Late *Afijur Rahman @ Lala* son of Late *Amir Uddin* had sold the suit land through registered *kewala* dated 31.12.1939 to father of the vendor Defendant no. 5 namely Late *Babu Sukhdeo Sahay S/o Late Maharaj Singh* but

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the Plaintiffs knowingly and deliberately did not implead the legal heirs of *Hafijur Rahman @ Lala* and as such in absence of *Hafijur Rahman @ Lala* and his legal heirs the present suit could not be adjudicated completely with legality.

5. The land bearing *khesra* no. 11725 measuring 6 *katha* 3 *dhur* and *khesra* no. 11726 measuring 6 *katha* 15 *dhur* under *Khata* No. 4891 situated at *Mauza-Gaura* was the *raiyati* land of the *Kothi Neel Begamsarai*, Late *Hussain Baksh @ Chethru* and others were ex-landlord who collect rent from the authority of *Kothi Neel Begamsarai* and as such their names are recorded accordingly in *khatiyan* separately in different columns, subsequently authority concerned of the *Kothi Neel Begamsarai*, surrendered aforesaid lands to the ex-landlord namely Late *Husain Baksh* alias *Chethru* and others and same lands became their *Bakast* land of the *Mauza-Gaura*.
6. Late *Hussain Baksh @ Chethru* died leaving behind only son *Sheikh Amir Uddin* who succeeded the proprietary interest and also inherited his due share in *khudkast* land including lands under *khata* no. 4891 *khesra* nos. 11725 and 11726.
7. Subsequently late *Amir Uddin* died leaving behind only son, namely, *Hafijur Rahman* alias *Lala* who succeeded his proprietary interest in concerned *Tauzi* along with inherited *Bakast* land under *khata* no. 4891 detailed given above.
8. Late *Hafijur Rahman @ Lala* son of Late *Sheikh Amir Uddin* grandson of Late *Sheikh Hussain Baksh* alias *Chethru* through registered *kewala* dated 31.12.1939 sold an area of land measuring 8 *katha* 15 *dhur* 10 *dhurki* out of his share in total area of land bearing *khesra* nos. 11725 and 11726 under *khata* no. 4891 and other lands to Late *Babu Sukhdeo Sahai* son of Late *Maharaj Singh* on the then prevalent market value of rupees fifty only.

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9. After purchase Late *Babu Sukhdeo Sahai* acquired right title and possession over the land given below as a *bona fide* purchaser for value. **Mauza** -*Gaura Mahal Malhipur*, **Touzi No.** -2561(C) and 323B, **Khebat No.** 22, **Thana No.** -329

KHATA NO.	CS KHEBRA NO.	AREA B. K. D.
4890	12913	00.03.16
4891	11725	00.06.03
4891	11726	00.06.01
4829	9866	00.04.11
	11420	01.00.11

Out of total area late *Hafijur Rahman @ Lala* sold his due share measuring 8 *katha* 15 *dhur* 10 *dhurki*.

10. The name of Late *Sukhdev Sahai* recorded in the *Serista* of the ex-landlord relating to his purchased land till before vesting of proprietary right in the State of Bihar.
11. Subsequently, Late *Sukhdeo Sahai* died and there after his widow inherited the aforesaid purchased land and other lands from her husband and out of love and affection she gifted an area of 6 *katha* 2 *dhur* land bearing *khesra* No. 11725 and 11726 under *khata* no. 4891, *Tauzi* No. 2561C and 323B, *Thana* No. 329 situated at *Mauza-Gaura Mahal Malhipur* along with her other lands to her son *Kartik Prasad Verma* through registered Deed of gift dated 28.06.1988 and the donee *Kartik Prasad Verma* accepted gifted land, he acquired perfect right title and possession thereon as a *bona fide* donee.
12. Subsequently, *Kartik Prasad Verma* Defendant No. 5 sold an area of 4 *katha* out of total area of 6 *katha* 2 *dhur* bearing *khesra* No. 11725 and

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11726 under *khata* no. 4891 situated at *Mauza-Gaura Mahal Malhipur* described in **Schedule-B** of the plaint through *kewala* dated 11.03.2014 to the Defendant no. 1 and 2 for valid consideration amount of the sold area of land along with bamboo clumps standing thereon and after the purchase the Defendant 1st Party acquired right title and possession as *bona fide* purchaser of value.

13. After the purchase, the Defendant 1st Party filed petition before the D.C.L.R., *Teghra* and prayed therein to create *Jamabandi* relating to the aforesaid purchased land in their names.
14. The D.C.L.R. on the basis of petition of Defendant 1st Party initiated *Jamabandi* creation case No. 68/2014-15 and there after they called for report from the C.O. *Teghra*. On the direction of C.O. *Teghra* the concerned *Halka Karmachari* inspected the **Schedule-B** land of plaint and found possession of Defendant 1st Party thereon and he submitted his report.
15. Subsequently, the C.O., *Teghra* called for report from the *Anchal Amin* and directed him to measure the purchased land of Defendant 1st Party described in **Schedule-B** of the plaint and to submit his report. The *Anchal Amin* inspected the purchased land of Defendant 1st Party, he also found **Schedule-B** land in possession of Defendant 1st Party and he accordingly measured the **Schedule-B** land of the plaint and submitted his report. The C.O. *Teghra* also personally inspected the purchased land of Defendant 1st Party and he submitted his report before the D.C.L.R. recommended there-in for creation of *Jamabandi* in the name of Defendant 1st Party relating to the purchased land described in **Schedule-B** of the plaint.
16. The Plaintiff no. 1 *Kari Gope @ Kari Yadav* filed his objection before the D.C.L.R. in *Jamabandi* Creation Case No. 02/68 2014-15 and he claimed purchased land of Defendant 1st Party on the basis of *Jamabandi* No. 4117 standing in the name of his grandfather Late

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Pampal Gope and he filed rent receipts. Further he claimed purchased land of Defendant 1st party on the basis of alleged *Hukumnama* of year 1942 purported to be granted by the grandfather of *Hafijur Rahman @ Lala* namely Late *Husain Baksh @ Chethru* in lieu of *Nazrana* of rupees 200/- he also filed photostat copy of alleged *Hukumnama* and rent receipt as basis of his claim relating to the purchased land of Defendant 1st Party before the court of D.C.L.R., *Teghra*.

17. From the enquiry of revenue record relating to *Jamabandi* No. 4117, it has been detected that on the petition of the Plaintiff, *Jamabandi* no. 4117 was created without legal order. Thereafter, the Plaintiff claimed **Schedule-B** land on the basis of *Jamabandi* No. 02 but same was also found incorrect, from the enquiry of revenue record it has been detected that no *jamabandi* no. 02 ever created in the name of *Pampal Gope* relating to purchased land of Defendant 1st Party.
18. From the perusal of tenant ledger, i.e. Register-II, by the revenue officer it has been detected that *Jamabandi* relating to purchased land of the Defendant 1st Party described in **Schedule-B** of the plaint had and has not been opened as yet in the name of any person.
19. After hearing both the parties and perusal of revenue records kept in the *Anchal Teghra*, the D.C.L.R. by his order dated 10.10.2014 found and held that the *jamabandi* no. 4117 was illegally and wrongly created and as such they sent the record before the Additional Collector of *Begusarai* for cancellation of *jamabandi* no. 4117 created illegally and wrongly, in violation of law and procedure both.
20. The Plaintiff also filed his objection on 14.01.2015 before the Court of A.D.M. *Begusarai* in *jamabandi* creation case no. 02/68 2014-15 and he again raised their claimed over the purchased land of Defendant 1st Party on the basis of alleged *Hukumnama* dated 25 *Jeth* 1339 *Fasli* year and he claimed an area of 6 *katha* 15 *dhur* bearing *Khesra* No. 11726 by settlement after payment of rupees 200/- by the *Pampal Gope S/o*

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Lalit Gope to Shekh Ali Hasan @ Bhopat.

21. The Plaintiff admitted in para no. 12 of his objection that the then C.O., *Teghra, Md. Hasnain Sahab* by putting undue influence over Plaintiff, wrongly created *jamabandi* no. 1417 in the name of *Pampal Gope S/o Lalit Gope* by initiating *Jamabandi* creation case no. 20.2011-12 and the C.O. wrongly granted rent receipt by putting wrong *jamabandi* no. 4117.
22. After hearing the matter afresh, the Additional Collector, *Begusarai*, by his order dated 09.02.2016 cancelled the *jamabandi* no. 4117 and there after the C.O. *Teghra* as per direction of A.D.M., *Begusarai* initiated *jamabandi* creation case no. 68/ 2014-15 and opened *jamabandi* no. 4745 in the name of Defendant in **Schedule-B** of the plaint and the revenue officer after getting revenue from the Defendant 1st Party, granted and issued rent receipt relating to same in the names of Defendant 1st Party through-out up till now.
23. The Plaintiff filed *jamabandi* cancellation Appeal No. 49/2016 before the court of collector, *Begusarai* against the order dated 09.10.2014 passed by D.C.L.R., *Teghra* in *jamabandi* cancellation case no. 02/68 2014-15 and against the order dated 09.02.2016 passed by A.D.M., *Begusarai* in *jamabandi* cancellation/creation case no. 02/2014-15, 68/14-15 and appeal is sub-judice before the court of collector, *Begusarai*.
24. The Plaintiffs, knowingly and deliberately did not challenge the registered sale deed date 31.12.1939, registered gift dated 28.06.1988 within statutory period of limitation and as such present suit is barred by law of limitation in view of settled principle of law that the purchasers stepped into the shoes of the vendor.

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IV. POINTS FOR DETERMINATION

On the basis of the pleadings of the parties, the following issues were settled to be determined:

I S S U E S

1. Whether the suit as framed and filed is maintainable under the law and the facts?
2. Whether the *Hukumnama* under which the Plaintiff has been claiming title is valid and enforceable?
3. Whether the Plaintiff has better title pertaining to suit property?
4. Whether the claim of the Plaintiff against the Defendants in suit in any way legal, genuine valid and operative?

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V. EVIDENCE ADDUCED BY THE PLAINTIFFS

Oral Evidence:

The Plaintiffs have adduced six witnesses, in toto, which are as follows:

Sl. No.	Witness No.	Name of the Witness
1.	PW-1	Sukhdeo Gope
2.	PW-2	Fulena Yadav
3.	PW-3	Ram Vilash Yadav
4.	PW-4	Manju Devi
5.	PW-5	Pappu Mishra
6.	PW-6	Kari Gope

Documentary Evidence:

The Plaintiffs have adduced following documentary evidences in support of their pleadings-

Sl. No.	Exhibit No.	Description of the Document
1.	Ext.1 to 1/C	Rent Revenue Receipts with Objection
2.	Ext. 2 & 2/A to 2/G	Khatiyani & Rent Revenue Receipts
3.	Ext. 3 to 3/E	Rent Revenue Receipts
4.	Ext. 4 to 4/B	Rent Revenue Receipts
5.	Ext . L	Jamabandi
6.	Ext. B	Certified Copy
7.	Ext. C	Original copy of the application for Jamabandi correction.
8.	Ext. D	Original copy of the investigation report of Jamabandi creation.

Cases Referred by the Plaintiffs: - None

Brief discussion of Plaintiffs' witnesses are as follows:-

- 1. Sukhdeo Gope (PW-1):-** He is Plaintiff no. 4. He is supported of this case during his examination-in-chief.

He told in his cross-examination at para no. 12 to 24, that I don't know when *Dhaneshwar Gope* died. *Vibhesh* and *Diwakar* wrote the land

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deed. The deed was written by *Kartik Verma*. I don't know their father's name. I haven't seen *Diwakar* and *Vibhesh's* deed. We had no conversation regarding the deed. We have papers regarding the disputed land, but I don't know which ones. Five of our brothers have also filed a case. I don't know the total number of plaintiffs. *Kari Gope* went to a lawyer to get the case filed. We have no information about the application. I don't know what the plaintiff's response was. I don't know what documents were filed by either party. *Kari Gope* typed this affidavit. *Kari Gope* typed the affidavit, on which I put my thumbprint, as I submitted it voluntarily. *Kari Gope* filed our affidavit. I don't know how to read or write *Hindi*. I don't know where this affidavit was typed. I'm a hand pump mechanic. I don't know which documents are mentioned in the affidavit. I don't know what's written on the paper. *Kari Gope* has been called to testify. I don't know if there are any other Defendants on the disputed land. I haven't put my thumb impression on any other documents.

2. Fulena Yadav (PW-2):- The instant witness, also supported the claims of the plaintiffs.

He told in his cross-examination, at para no. 11 to 19, that *Kari Gope* is our nephew. Today I have given my thumbprint on the affidavit. Please tell me further whether I have given my thumbprint on the affidavit or not. I am currently testifying on behalf of Defendant. I am not a party to this case. *Kari Yadav* called me. I have not seen the decree; I am aware of the decree. I have also told *Pampal*. *Pampal Gope* has not shown me the documents. I do not know if the decree is signed. I do not know the account and *Khesra* on the decree. I do not make a claim based on the decree. I do not know in whose name the deed of the disputed land is. I do not know if *Vibhesh* and *Diwakar* are named as plaintiffs in the lawsuit. I do know about *Sukhdev Yadav's* land. He purchased the land in 1939; I have not seen that land. I have not seen *Vibhesh's* land. I have not seen the disputed land. I live at home. The two parties have been in a dispute for quite some time. I haven't read the testimony papers. I gave my thumbprint in the application. I

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haven't seen the case papers. It's not that I'm giving false testimony.

3. **Ram Vilash Yadav (PW-3):-** The instant witness, also supported the claims of the plaintiffs.

He told in his cross-examination, at para no. 11 to 21, that *Pampal Gope* is not related to us. He has two sons, *Parmari* and *Kari*. *Pampal* also had a daughter who is deceased. I have not submitted any application regarding the disputed land. *Kari Gope* dictated the contents of the affidavit. I signed the affidavit at *Kari's* behest. I have not seen the land documents. The dispute has been ongoing for almost a year. *Vibhesh* and *Sanjeev* wrote the deed. The land is registered in *Pampal's* name. I am unaware of the *Jamabandi* case. It is not true that the disputed land is not registered in *Pampal's* name. *Vibhesh* and *Sanjeev* purchased the land from *Kartik*. I own land to the south of the disputed land. I do not know the *Khesra*. 6 katha 15 dhoor of land is disputed. There is a road to the north of the land, the remaining land to the south, *Arun* to the east, and *Jagdev Singh's* land to the west. I have seen the boundaries of the disputed land with my own senses. I recognize *Kartik*. His house is near ours. We don't talk to him. I don't know the land records, the *Khesra*, or the *Tauji*. I don't know about the *Khatian*. It's not that we don't have land south of the disputed land. *Kari Gope* has also filed a criminal case. *Kari* has filed the case through his wife. *Vibhesh* is a government teacher. I don't know about the return papers. I didn't go to represent *Kari* in his case.

4. **Manju Devi (PW-4):-** She is Plaintiff no. 7. She is Supported of this case during in examination-in-chief.

During her cross-examination, at para no. 12 to 28, that I went to get the case papers prepared. *Kari Rai* and *Sukhdev* also went with me. What is the case. I don't know what language the case was written in. The lawyer read the papers to me. I submitted the order. I don't know the amount written on the order. I also filed the order and receipt with the A.D.M. It's not that I lost the case at the A.D.M. I appealed against the A.D.M.'s decision to the Collector. It's still pending there. *Anjani*

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Babu was the lawyer in both courts. *Anjani Babu* read out the A.D.M.'s decision. I know all the documents related to the disputed land. Then he says that he doesn't know the *Khata*, *Khesra*, and *Tauji* no. of the disputed land. I don't know how to read or write Hindi. I don't know what's written on the testimony paper. My thumb impression is on it. I have filed a case against *Vibhesh* and *Diwakar*. Then they say that we do not have the information about the land papers. *Vibhesh* has got the land registered in the name of *Kartik Prasad* in a wrong way. I have heard that the land is registered in the name of *Kartik Prasad*. I have given the papers written by him. The land receipt is issued in the name of *Pampal Gope*. He is dead. I had seen his child. Our father-in-law is *Prasadi Gope*, I had asked them to register *Prasadi Gope's* name. But the plaintiffs have wrongly registered the land in their names. The north boundary of the land is road, south is land, east is *Arun Yadav*, west is *Jagdev Singh*. I have been looking after the boundaries of the land since my marriage. I have seen the witness papers. I work as a labourer. Plaintiff *Dhaneshwar* is not with us.

5. **Pappu Mishra (PW-5):-** He works as a advocate's clerk. The government revenue receipts for the years 2013-14 and 2014-15 for *Mouza Gaura*, *Khata* No. 4891, *Khesra* No. 11726, total area 6 *Katha* 15 *Dhoor*, are in the name of *Pampal Gope*, son of *Lalit Gope*. The above government revenue receipts were written by employee *Akhilesh Ram*, and bear a small signature that I recognize. This is the same government revenue receipt written by *Akhilesh Ram*, marked as **Exhibit 1**. The 2014-15 revenue receipt is marked as **Exhibit 1/A**.

During his cross-examination, at para no. 5 that the 2014-15 revenue receipt does not have a *Jamabandi* no. I do not know the receipt no. I do not have any technical knowledge of identifying signatures.

6. **Kari Gope (PW-6):-** He is Plaintiff no. 1. He is Supported of this case. During his cross-examination, at para no. 16 to 26, that I have the original *Hukumnama* in my possession which was given by *Zamindar Hussain Bakhsh* alias *Chethru* and *Shekh Ali Hasan* alias *Shekh*

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Bhupat in the name of *Pampal Gope*. I have submitted it in the court on 08.09.2018. I have given the government land revenue receipts of 1965-66, 64-65, 62-63, 61-62, 66-67, 60-61, 90-91, 2004-2005, 2011-12, 2013-14, 2014-15 and 1973-74. I have also given the *Zamindari* receipts of 1336 to 1341 *Fasli*. The *Zamindari* receipts are of 1349 *Fasli*, 1359 and 1361 *Fasli*. I had given the *Hukumnama* in the A.D.M. court. I do not know how much *Nazarana* is written in this *Hukumnama*. I do not know which scribe had written the *Hukumnama*. I do not even know the year. There is no Bihar Government seal on the *Hukumnama*. It is not the case that I have forged this *Hukumnama*. The receipt is of the owner which was given in reply to our side. It is not the case that the receipt is fake. I am illiterate. I do not know what is written in the witness paper today. The affidavit describes the land of a Khesra. I do not remember the account of the Khesra. I have not seen the paper, I do not know the *Fasli*. I became conscious at the age of about 12-13 years.

VI. EVIDENCE ADDUCED BY THE DEFENDANTS

Oral Evidence

The Defendants have adduced altogether four oral evidences in support of their case which are as follows:-

Sl. No.	Witness No.	Name of the Witness
1.	DW-1	Sudhir Kumar Singh
2.	DW-2	Suchidar Singh
3.	DW-3	Vibhesh Kumar Singh
4.	DW-4	Amit Kumar

Documentary Evidence:

The Defendants have adduced following documentary evidences in support of their pleadings-

Sl. No.	Exhibit No.	Description of the Document
1.	Ext. A	Sale deed no. 1382 on 11.03.2014
2.	Ext. B	Order of C.O., Teghra, for land inspection

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3.	Ext. C	Inspection report of Amin
4.	Ext. D	Report of halka karamchari
5.	Ext. E	Sale deed executed by Hafizur Rehman in favour of Sukhdev Sahai
6.	Ext. F	Gift Deed
7.	Ext. G	Partition suit before DCLR
8.	Ext. H	Order of DCLR in partition deed
9.	Ext. I	Rent Receipt
10.	Ext. J	Sale deed no. 1382 on 11.03.2014
11.	Ext. K	LPC
12.	Ext. L	Proceeding of DCLR

Cases Referred by the Defendants: None

Brief discussion of Defendant's witnesses are as follows:-

- Sudhir Kumar Singh (DW - 1):-** He is Supported of this case. He knows and recognizes both the parties and has been seen the disputed land.

During his cross-examination, at para-01 to 30, he adduced that I don't remember the plaintiff's name. The lawyer asked me to put my thumbprint on the affidavit. The papers I've filed are a deed. I haven't seen any documents related to the disputed land. I haven't seen the *Khatian* of the disputed land. The disputed land has numerous *Khesra* documents. I haven't seen any *Khesra* documents for the disputed land. *Vibhesh Singh* and *Diwakar Singh* are in possession of four kathas of land. The disputed land is in *Mouza Gaura 6*. I can't tell the *Tauji*. The police station is *Teghra*, Police Station No. 18. I can't provide the *Khesra* or *Khesra* of the disputed land. The disputed land is located on the North Road. *Kartik Verma* is to the south, *Sudhir Singh* is to the east, and *Jagdev Singh* is to the west. I can't tell the land's rate. The North Road is a field on the North Road, and I don't know whose rate it is. *Yadav Ji's* house is to the south, *Sudhir Singh* is to the east, and *Jagdev Singh* is to the west. So far, I have testified in one case. *Vibhesh Singh* called me for testimony. I visit *Vibhesh Singh's* place and eat at his place. *Vibhesh Singh* told me about this case. Whatever he told me,

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I am telling the same thing in the court. I have land in the eastern boundary of the disputed land. The *Jamabandi* is in my father's name. We can file a receipt in the court. The previous owner of this land was *Kartik Verma*. The land was *Kartik Verma's* ancestral land. He has a total of more than 6 *katha* of ancestral land. I have not seen its documents. It is not true that *Kartik Verma* does not have any ancestral land and I am giving false testimony.

2. **Suchidar Singh (DW- 02):-** He is Supported of this case. He knows and recognizes both the parties and has been seen the disputed land. Before the disputed land, I had *Khatian* land. I sold it to *Baunu Yadav*. The buyer is an encroacher on the land. The defendants *Vibhesh* and *Sanjeev Singh* have encroached upon the disputed land by purchasing it through a deed from *Kartik Verma*. The area of the land they purchased is 4 *katha*. *Jamabandi* and receipt are also issued for both the buyers. *Kari Gope* and his brother harass the buyers *Vibhesh* and *Sanjeev* by making false papers. They have no concern with the disputed land. The statement recorded in the affidavit is true and correct to the best of my knowledge and belief.

During his cross examination, at para no. 1 to 26, he adduced that We have not received a court summons to testify. We have been aware of the case against *Vibhesh Singh* and *Diwakar Singh* for 7-8 years. We have given our thumb impressions on the affidavit voluntarily, not at anyone's behest. We do not know what is written in the affidavit. I know both parties to the case. I do not know the name of the plaintiff. The names of the defendants are *Diwakar Singh* and *Vibhesh Singh*. I have not seen the documents of the disputed land. I do not know in whose name the land records of the disputed land are. I do not know the details of the land records. The account number of the disputed land is 11726, *Khesra* number 11726. The area is not known. Then, please tell me that it is 12 *katha* 18 *dhoor*. We have been observing the disputed land for 7-8 years. For 7-8 years, the land belonged to *Kartik Verma*. We do not know *Kartik Verma's* account and *Khasra*. The total land area is 12 *katratha* 18 *dhoor*. I don't know how and when *Kartik*

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Verma got this land. The boundaries of the disputed land's Khesra No. 11726 are - North Road, South Own *Kartik Verma*, East My Land, West *Jagdev*. I don't know the boundaries of this land. I know *Ram Narayan Singh*. His house was on the west side of the disputed land. I don't know to whom *Ram Narayan Singh* sold the land. I don't know *Nathuni Miman*. I don't even know his sons and grandsons. I knew *Pampal Gope*. It was next to my house. I don't know how many sons he had. I don't know *Pampal Gope's* house, they left from there.

3. Vibhesh Kumar Singh (DW-3):- He is Defendant no. 1 and has supported his case during the examination-in-chief.

During his cross examination, at para no. 11 to 47, he adduced that I have signed this affidavit. I am aware of everything written in it. This affidavit contains 11 paragraphs. Paragraph 11 states the wrong settlement of the land. Paragraph 6 describes the deed obtained from *Kartik Verma*. The disputed land is listed in Mouza 11725 and 11726, Thana No. 329, khata no. 4891, Khesra no 11725 and 11726. The total area is 4 katha. Again, it is stated that the Mouza is 8841. The boundaries of the 4 katratha land are: the north is the road, the south is owned by *Kartik Verma*, the east is *Arun Yadav, Baunu Yadav*, etc., and the west is the late *Jagdev Singh*. The disputed land is listed in four divisions: *Mohan Sahay* and the late *Harish Sahay* on the north, *Lala Bhushan Prasad Singha* on the south, and a *Pandit* whose name is unknown. The east side of *Nagina* belongs to *Phulena Yadav*, and the west side belongs to *Jagdev Singh, Triveni Singh, and Nawal Singh*. The land deed purchased was from *Kartik Prasad Verma*. His mother gave the land to *Kartik Prasad Verma* as a deed in 1988. The deed was registered. I don't know the total value of the deed. I don't know who the witnesses were on the deed. I don't know the scribe of the deed. I can't tell you the number of the deed document. *Raja* was a man, and we don't know the total area mentioned in the deed. The thana no. of the land mentioned in the deed is 329, but I don't know anything else. I don't remember having a chance to see the deed. I did get a chance to see it when I was purchasing the deed. *Kartik Prasad Verma* showed

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me that document. We had the lawyer read it to us. The lawyer's name is *Ashok Prasad Singh*. I don't know the total number of Mouza, Tauji no, and Khesra land in the donation document. I have obtained the deeds for Khesra 11725 and 11726. I don't know the total area of Khesra 11725. The boundaries of Khesra 11725 are: North - Road, South - *Kartik Verma's* property, East - *Arun Yadav, Baunu Yadav*, and West - *Jagdev Singh*. The donation deed doesn't provide the separate area of both Khesras. The area and boundaries of Khesra 11726 are unknown. I don't know the total value of the donation document. The donor of this donation document is *Kartik Verma's* mother, *Mosamat Rama Devi*. The total number of witnesses on this document is unknown. The scribe was *Satish Prasad Singh*. *Rama Devi* had a total of three or four sons. The names of *Kartik Verma, Ranjit Sahay*, and others are not known. I don't remember how many daughters *Rama Devi* had. I last saw her when I was 7 or 8 years old. *Rama Devi* inherited this property from her husband. After her husband's death, ownership of the land automatically passed to his wife. I haven't seen *Rama Devi's* husband. His name was Mr. *Sukhdev Sahay*. *Sukhdev Sahay's* property was divided between his wife, son, and daughter. I don't know whether the division was oral or written. I don't know how much share *Rama Devi* or her son received. *Sukhdev Sahay* was from my village. *Sukhdev Sahay* was a landlord, but I don't know how much land he owned. During his mother's lifetime, *Kartik Prasad Verma* served *Sukhdev Sahay* with care. Other sons would quarrel with *Sukhdev Sahay*. There were conflicts between *Kartik Verma's* brother and his mother. I don't know when *Sukhdev Sahay* died. He was a landlord by profession. I don't remember how *Sukhdev Sahay* acquired the land through donation deed. I bought the land in Khesra 11725 and 11726. *Sukhdev Sahay* did the deed. He took the deed from *Lala Mian*. I can't tell you *Lala Mian's* genealogy. *Lala Mian* gave the deed to *Sukhdev Sahay* in the year 1939. In 1939, I don't remember *Mauja Gora, Tauji*, he took the deed of Thana no. 329, I don't remember the account, he gave the deed of Khesra 11725 and 11726, and I can't tell you which other Khesra's land he did the deed of. I was shown the

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paper of the deed I gave. There are many Khesra's in that deed, I don't remember. I don't remember the total area of each Khesra. In that deed, Khesra 11725 and 11726 have a total area of 12 katratha 18 dhoor. Then he says that he does not remember the total area of Khesra 11725 and 11726. The boundaries of Khesra 11726 are North Road, *Kartik Verma's* property to the south, *Arun Yadav, Baunu Yadav, Ramwali Yadav*, etc. to the east, and *Late Jagdev Singh* to the west. I do not remember the rate and boundary of this Khesra. The boundaries of Khesra 11725 are North Road, South Road, *Maa Bhagwati Sthan, Bhagwati Sthan* to the east, and *Anil Yadav's* house to the west. In 1939, *Sukhdev Sahay* purchased 6 katha 9 dhoor of that deed for Rs. 50. The total area of that deed is 12 katha 18 dhoor. I cannot tell the names of the witnesses of that deed, but I can tell the name of the writer. The name of the scribe is *Late Ujagar Babu*. I cannot tell the name of his father. *Ujagar Babu's* house is *Bajalpura*. He died 30 years ago. The *Khatian* of Khesra 11725 and Khesra 11726 is in the name of *Neelkothi Begam Sarai*. The mouz is *Gaura*. I cannot tell the *Mahal*. I do not remember the *Tauji* no. I do not remember the *Khana* no. In that *Khatian*, the total area of Khesra No. 11726 is 6 Katha 9 Dhur and the total area of Khesra 11725 is 6 Katha 9 Dhur. The name of the person receiving the rent in that *Khatian* is *Sukhdev Sahay*. The *Zamindari* receipt was also issued in the name of *Sukhdev Sahay*. *Neelkothi Begam Sarai* voluntarily granted land ownership to *Hussain Baksh*, alias *Chethru Mian*. I cannot identify *Hussain Baksh*, alias *Chethru Mian's* lineage. I cannot recall the names of the landowners. I purchased this deed in 2014. I purchased 4 kathas of land from Khesra 11725 and 11726, a combined land area of 6 kathas and 9 dhurs. The boundaries of this 4 katha land are the road to the north, *Sukhdev Sahay's* property to the south, *Arun Yadav, Baunu Yadav, Rambali Yadav*, and others to the east, and the late *Jagdev Singh* to the west. I had a chance to view the map near the government *Amin* area. I don't understand the map. Adjacent to the road is Khasra 11725, followed by Khesra 11726 to the south. Both Khesras are combined. Currently, there are 50-60 houses built along the road at that location. Five of

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those houses are named after the late *Shankar Yadav*, the late *Badri Yadav*, the late *Phulena Yadav*, *Ramagya Yadav*, and *Anil Yadav*. These people have both concrete and thatched houses. The deed I obtained does not include the names of the above individuals as witnesses.

4. **Amit Kumar (DW-4):-** The instant witness to supported the claims of the Defendants, and declared that I know the revenue officer of the *Teghra Anchal* and recognize his handwriting and signature. A torn revenue receipt, No. 00563866, dated 09.06.2016, bears the handwriting and signature of *Akhilesh Ram*, a revenue officer of the *Teghra Anchal*. This is the original revenue receipt I identified in the affidavit. It is marked as **Exhibit -1**.

During his cross examination, at para no. 5 to 15, he adduced that I don't know the signatures of all the revenue officials in *Teghra*. I don't know how long the revenue officials I know have worked in the *Teghra Anchal*. I knew them and their signatures. They weren't my relatives, but I knew them as revenue officials. I had the opportunity to see many of their signatures. I had the opportunity to see the receipts on which they signed. I saw them in 2016 and several times thereafter. The same receipt lists the tenants as *Vibhesh Kumar Singh* and others. I don't remember the other person's name. I don't remember the *Jamabandi* no. on it. It contained the *Khata* no, *Khesra* no., *Raiyat* name, *Tauji* no., *Mauza*, *Thana* no., and area. *Mauza Gaura* is written on that receipt. I don't remember the *Tauji* no. I don't remember how many land revenue receipts I've seen in this tenant's name.

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VII. FINDINGS

1. Heard both sides and perused the record. From the perusal of record of this case, it transpires that Plaintiffs had adduced altogether six witnesses and also adduced documentary evidences in support of their case. On the other hand, Defendants have adduced four oral evidences and documentary evidences in support of their case.
2. The suit property was initially recorded in *khatiyān* as *kothi Neel Begamsarai* in raiyat column and name of obtaining rent as land lord is *Seikh Husain Bux* alias *Chethru* and others. After some period of survey *Neel Kothi Begumsarai* submitted the land voluntarily to the person obtaining the rent as land lord *Seikh Hussain Bux @ Chethru* and ors. It is an admitted fact.
Khatiyān has been marked as **Ext.2.**
3. Thus, the suit property was owned by the then landlord *Seikh Hussain Bux* alias *Chethru* and his brother *Seikh Ali Hussain* alias *Bhupa*.
4. The Plaintiffs argued that in the year 1336 *Fasli* (in the year 1929), the then landlord settled the land under *khesra* no. 11726, in favour of their *raiyat Pampal Gope* son of *Lalit Gope* of village *Bajalpura* by means of "*Hukumnama*," for a consideration of ₹200/- and gave receipt of the land. The *Hukumnama*, being an unregistered document, has not been marked exhibit.
5. The Plaintiffs argued that since the execution of *Hukumnama*, *Pampal Gope* came into possession over the suit land, and he continued paying rent obtaining receipts from the then landlord and his successors.
The rent receipts have been marked as **Exts. 3 to 3 (E)** and **Exts. 4 to 4 (B)**, respectively.
6. Thereafter, the Plaintiffs argued, in the year, when *zamindari* was vested the ex-landlord submitted return, pertaining to suit land, in the

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name of *Pampal Gope* son of *Lalit Gope* and on the basis of the said return submitted by ex-landlord, *Jamabandi* No. 2 was created in *Serista* of *Anchal* at *mouza Gaura* under Bihar Government.

For the above averments, the Plaintiff places his reliance upon certified copy of proceedings of *Jamabandi* creation case no. 02/2014-15, wherein, it has been observed that “the *jamabandi* has been running in the name of objectors, which has been illegally created.” The same has been marked as **Ext. L**.

7. *Pampal Gope* had been paying rent and obtained rent receipt in Bihar Government in *jamabandi* No. 2 in the year 1961-62, 1962-63, 1963-64, 1964-65, 1965-66 and so on upto the year 1990-91. The rent receipts have been marked as **Exts. 2A to 2G**.

8. With the passage of time, *Pampal Gope* died to be finally succeed by the instant Plaintiffs.

9. In the year 2010 when successors of *Pampal Gope* tried to pay rent, then the Circle Officer, *Teghra* created *Jamabandi* No. 4117 in the name of *Pampal Gope* son of *Lalit Gope* and issued rent receipts up to the year 2013-14, 2014-15.

The rent receipts have been marked as **Exts. 1 to 1C**.

10. On 11.03.14, Defendants 1st Party prepared an illegal sale deed for the lands described under **Schedule-B** land, in favour of Defendant 1st Party as vendee from Defendant 3rd Party as vendor and showing Defendants 2nd Party as witnesses. In this way all the Defendants no. 1 to 5 have committed criminal conspiracy, forgery and cheating.

11. *Per Contra*, Ld. Counsel for the Defendants had argued and stated that a false, vague and bogus case was instituted by the Plaintiffs, in order to humiliate and harass the Defendants. The suit is not maintainable and barred by Transfer of Property Act. Thus, this suit is liable to be dismissed against the Plaintiffs and in favour of Defendants.

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12. The Defendants argued that though the *Hukumanama* is a forged piece of paper and even if it considered to be true, for the sake of argument, it unregistered having no authority. As Sec.54 provides any immovable property having value of ₹100 and above must be registered in order to effect transfer, however, herein the *Hukumanama* declares value of immovable property having consideration of ₹200/-, thus, barred and does not transfer the suit land in favour of Plaintiffs. It is also inadmissible under Sec. 17(e) of Indian Registration Act, 1908.
13. It was argued that under Sec.4(h) of Bihar Land Reform Act, 1.1.46 afterwards settlement ought to be through registered document by zamindar.
14. The Defendants argued that the grandson of Late *Hussain Baksh @ Chethru* namely Late *Hafijur Rahman @ Lala* son of Late *Amir Uddin* had sold the suit land through registered *kewala* dated 31.12.1939 to father of the vendor Defendant no. 5 namely Late *Babu Sukhdeo Sahay S/o Late Maharaj Singh*.
The sale deed has been marked as **Ext. E**. Also, the factum of the ownership of *Sukhdeo Sahay*, has been admitted by the Plaintiff no.7 and the same has not been denied by the other Plaintiffs, herein, in the partition suit before DCLR, marked as **Ext. G**.
15. After the said purchase Late *Babu Sukhdeo Sahai* acquired right title and possession over the suit land along with other lands, as a *bona fide* purchaser for value.
16. The name of Late *Sukhdev Sahai* recorded in the *Serista* of the ex-landlord relating to his purchased land till before vesting of proprietary right in the State of Bihar.
17. Subsequently, Late *Sukhdeo Sahai* died and there after his widow inherited the aforesaid purchased land and other lands from her husband and out of love and affection she gifted an area of 6 *katha* 2

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dhur land bearing *khesra* No. 11725 and 11726 under *khata* no. 4891, *Tauzi* No. 2561C and 323B, *Thana* No. 329 situated at *Mauza-Gaura Mahal Malhipur* along with her other lands to her son *Kartik Prasad Verma* through registered Deed of gift dated 28.06.1988 and the donee *Kartik Prasad Verma* accepted gifted land, he acquired perfect right title and possession thereon as a *bona fide* donee.

The gift deed has been marked as **Ext. F.**

18. Further, *Kartik Prasad Verma* Defendant No. 5 sold an area of 4 *katha* out of total area of 6 *katha* 2 *dhur* bearing *khesra* No. 11725 and 11726 under *khata* no. 4891 situated at *Mauza-Gaura Mahal Malhipur* described in **Schedule-B** of the plaint through *kewala* dated 11.03.2014 to the Defendant no. 1 and 2.

The sale deed has been marked as **Ext. A.**

19. After the purchase, the Defendant 1st Party filed petition before the D.C.L.R., *Teghra* and prayed therein to create *Jamabandi* relating to the aforesaid purchased land in their names.

20. The D.C.L.R. on the basis of petition of Defendant 1st Party initiated *Jamabandi* creation case No. 68/2014-15 and there after they called for report from the C.O. *Teghra*. On the direction of C.O. *Teghra* the concerned *Halka Karmachari* inspected the **Schedule-B** land of plaint and found possession of Defendant 1st Party thereon and he submitted his report.

The L.P.C. has been marked as **Ext. K.**

21. Subsequently, the C.O., *Teghra* called for report from the *Anchal Amin* and directed him to measure the purchased land of Defendant 1st Party described in **Schedule-B** of the plaint and to submit his report. The *Anchal Amin* inspected the purchased land of Defendant 1st Party, he also found **Schedule-B** land in possession of Defendant 1st Party and he accordingly measured the **Schedule-B** land of the plaint and submitted his report. The C.O. *Teghra* also personally inspected the

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purchased land of Defendant 1st Party and he submitted his report before the D.C.L.R. recommended there-in for creation of *Jamabandi* in the name of Defendant 1st Party relating to the purchased land described in **Schedule-B** of the plaint.

The record of proceeding has been marked as **Ext. L**.

22. The Plaintiff also filed his objection on 14.01.2015 before the Court of A.D.M. *Begusarai* in *jamabandi* creation case no. 02/68 2014-15 and he again raised their claimed over the purchased land of Defendant 1st Party.

23. After hearing the matter afresh, the Additional Collector, *Begusarai*, by his order dated 09.02.2016 cancelled the *jamabandi* no. 4117 and there after the C.O. *Teghra* as per direction of A.D.M., *Begusarai* initiated *jamabandi* creation case no. 68/2014-15 and opened *jamabandi* no. 4745 in the name of Defendant in **Schedule-B** of the plaint and the revenue officer after getting revenue from the Defendant 1st Party, granted and issued rent receipt relating to same in the names of Defendant 1st Party through-out up till now.

The Rent receipt has been marked as **Ext. I**.

24. Upon hearing the rival submissions, it transpires that the Plaintiffs have relied upon an unregistered *Hukumnama*, which has a value of ₹200 /- and rent receipts of various years. On the contrary, the Defendants have relied upon the registered chain of conferment of title.

25. So far, the abovesaid, *Hukumnama* is concerned, it is barred by the provision of the Transfer of Property Act, 1882. Also, it is a settled law that revenue receipts do not confer any title upon the holder.

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VIII. ANALYSIS OF THE COURT

This Court, after perusal of record and considering the oral and documentary evidences of both the Plaintiffs and Defendants, and hearing the rival submissions of both the counsels, on behalf their respective parties, for better appreciation of evidences, shall now take up the issues one by one.

1. Issue No.1: Whether the suit as framed and filed is maintainable under the law and the facts?

Since, this suit is based upon a *Hukumnama*, which is an unregistered document purporting to transfer suit land for a value of ₹200/-, which is barred by Sec. 54 of the Transfer of Property Act, 1882, hence, unenforceable. Therefore, in the considered opinion of the Court, this suit is not maintainable, for the aforesaid reasons.

2. Issue No.2: Whether the *Hukumnama* under which the Plaintiff has been claiming title is valid and enforceable?

Again, the *Hukumnama*, which is an unregistered document purporting to transfer suit land for a value of ₹200/-, which is barred by Sec. 54 of the Transfer of Property Act, 1882, hence, unenforceable.

3. Issue No.3: Whether the Plaintiff has better title pertaining to suit property?

From the findings of the court, discussed in para **VII. 25**, above, it transpires that the Plaintiffs have failed to prove their better title in the suit land.

4. Issue No.4: Whether the claim of the Plaintiff against the Defendants in suit in any way legal, genuine, valid and operative?

The findings above discussed, material placed before the Court and appraised by the Court, after examining the chain of title adduced by the Defendants, there appears to be a shadow over the legality, genuineness, validity of the claims of the Plaintiffs against the Defendants in

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the instant suit.

In conclusion, following orders are being passed:-

IX. ORDER

1. The suit is being disallowed against the Plaintiffs and in favour of the Defendants, with parties to bear their respective costs of the suit.
2. Accordingly, title over the **Schedule-B** land is declared of the Defendants.
3. A Decree be drawn accordingly to the effect of this judgment.
4. Office Clerk is directed to upload the judgment on CIS, thereafter, consign the record to the Record Room, in accordance with the procedure established.

**Shailendra Kumar
Munsif
Teghra, Begusarai, Bihar.**

This judgment was pronounced in open court and read over to the parties on **19th March 2026**, dictated and typed, runs in thirty three pages, including index and appendix, and each page of this judgment bears initial signature of the under-signatory.

**Shailendra Kumar
Munsif
Teghra, Begusarai, Bihar.**

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APPENDIX

EVIDENCE ADDUCED BY THE PLAINTIFFS

Oral Evidence:

The Plaintiffs have adduced six witnesses, in toto, which are as follows:

Sl. No.	Witness No.	Name of the Witness
1.	PW-1	Sukhdeo Gope
2.	PW-2	Fulena Yadav
3.	PW-3	Ram Vilash Yadav
4.	PW-4	Manju Devi
5.	PW-5	Pappu Mishra
6.	PW-6	Kari Gope

Documentary Evidence:

The Plaintiffs have adduced following documentary evidences in support of their pleadings-

Sl. No.	Exhibit No.	Description of the Document
1.	Ext.1 to 1/C	Rent Revenue Receipts with Objection
2.	Ext. 2 & 2/A to 2/G	Khatiyani & Rent Revenue Receipts
3.	Ext. 3 to 3/E	Rent Revenue Receipts
4.	Ext. 4 to 4/B	Rent Revenue Receipts
5.	Ext . L	Jamabandi
6.	Ext. B	Certified Copy
7.	Ext. C	Original copy of the application for Jamabandi correction.
8.	Ext. D	Original copy of the investigation report of Jamabandi creation.

Cases Referred by the Plaintiffs: - None

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EVIDENCE ADDUCED BY THE DEFENDANTS

Oral Evidence

The Defendants have adduced altogether four oral evidences in support of their case which are as follows:-

Sl. No.	Witness No.	Name of the Witness
1.	DW-1	Sudhir Kumar Singh
2.	DW-2	Suchidar Singh
3.	DW-3	Vibhesh Kumar Singh
4.	DW-4	Amit Kumar

Documentary Evidence:

The Defendants have adduced following documentary evidences in support of their pleadings-

Sl. No.	Exhibit No.	Description of the Document
1.	Ext. A	Sale deed no. 1382 on 11.03.2014
2.	Ext. B	Order of C.O., Teghra, for land inspection
3.	Ext. C	Inspection report of Amin
4.	Ext. D	Report of halka karamchari
5.	Ext. E	Sale deed executed by Hafizur Rehman in favour of Sukhdev Sahai
6.	Ext. F	Gift Deed
7.	Ext. G	Partition suit before DCLR
8.	Ext. H	Order of DCLR in partition deed
9.	Ext. I	Rent Receipt
10.	Ext. J	Sale deed no. 1382 on 11.03.2014
11.	Ext. K	LPC
12.	Ext. L	Proceeding of DCLR

Cases Referred by the Defendants: None

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Official / Court Exhibit

Ext M1 ...NIL.....
Ext M2
Ext M3
Ext M4

Mark of Identification

Exhibit	Documents
None	None

Important Dates

Plaint filed	22.12.2015
Written Statement	28.04.2017
Framing of Issue	---.---.---
Argument concluded	09.03.2026
Judgement Delivered	19.03.2026