

IN THE COURT OF SUB JUDGE I, JAGDISHPUR, BHOJPUR AT ARA

Title Suit Case No. 209/1996

CIS No. 209/1996

Date of Order or Proceeding	Order with the Signature of the Court	Office action taken with
27.02.2023	Plaintiff has filed his hazri along with registry receipt. Defendant no. 3 and 4 appeared with new Vakalatnama of Ld. Advocate Sri Amerendra Mohan, Sri Brij Kishor Tiwary and Sri Taiyab Hussain Mansoori along with petition. Case called out. On call Ld. Advocate of both sides appeared. Ld. Advocate of plaintiff submitted that in the compliance of Court's order dated 03.02.2023, plaintiff has filed requisites of summon and registered summon and same has been issued and today plaintiff has filed the receipt of postal registry. Ld. Advocate of defendant no. 3 and 4 submitted that today defendant no. 3 and 4 appeared and filed a petition for time to contest the suit. Heard both sides. Perused the case record. From the perusal of case record, it transpires that this final decree petition has been filed by the plaintiff for the demarcation of suit land in pursuant to the judgment and decree passed by respected Addl. District Judge F.T.C. II, Ara in T.A. No. 31/2005. On the perusal of case record, it also transpires that in the original T.S.No. 209/1996 was dismissed on contest vide order dated 02.06.2005 thereafter plaintiff preferred an appeal bearing NO. T.A. 31/2005 which was allowed vide order dated 28.03.2009 and the judgment and decree passed in Title Suit no. 209/1996 was set aside. Thereafter on dated 01.06.2009, plaintiff filed a petition for preparation of final decree and vide order dated 06.08.2009 defendant no. 3 and 4 appeared and filed their rejoinder on dated 21.08.2009. From the perusal of case record, it transpires that vide order dated 25.09.2013 copy of order passed by the respected District Judge, Ara in Civil Misc. Case No. 68/2011 vide order dated 24.09.2013 has been received. Civil Misc. Case No. 68/2011 was dismissed with direction to call for the record of T.S. no. 209/1996 from the record room and proceed with the case and in the light of said order direction has been given to the Office for calling the record from the record Room. On the perusal of case record, it transpires that on dated 31.01.2014 plaintiff filed a petition for appointment of survey Knowing Pleader Commissioner on which defendant no. 3,4 and 5 filed their rejoinder dated 08.07.2014 but vide order dated 23.02.2016 case was dismissed in default. Thereafter again case restored vide order dated 04.01.2018 and petition of plaintiff dated 31.01.2014 allowed and direction has been given to the plaintiff for deposit of Survey Knowing Pleader	

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Latter on 27.02.2023	Commissioner Fee Rs. 2500/- and request letter was issued. Thereafter vide order dated 02.03.2019, Ld. Advocate Sri Manish Raj was appointed as a Survey Knowing Pleader Commissioner but again vide order dated 07.09.2019, this case was dismissed in default. Thereafter vide order date 18.12.2022 case was restored through Misc. Case no. 24/2019 and on dated 04.01.2023, plaintiff deposited the Survey Knowing Pleader Commissioner fee Rs. 2500/- . From the perusal of case record, it transpires that vide order dated 03.02.2023 direction has been given to the plaintiff for filing the requisites of notice for the appearance of defendant in the light of order dated 08.12.2022 passed in Misc. Case no. 24/2019 and in the light of said order, plaintiff has filed the requisites vide order dated 06.02.2023 and same has been issued by the Office on dated 06.02.2023 and today defendant no. 3 and 4 appeared and prayed for one time for contest the suit. Therefore prayer of defendant no. 3 and 4 allowed. Put up on 13.03.2023 for the appearance of rest defendant. Sub Judge-I, Jagdishpur, Bhojpur.	
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