

IN THE COURT OF PAWAN KUMAR, DISTRICT JUDGE V, JAMUI
(Title Appeal No. 04/2007)

I.A. No. 01/2025

Arising out of Title Suit No. 27/1990, District-Jamui

Date of order of Proceeding	Order with signature of the court	Office action taken with
<u>19.12.2025</u>	Present: Ld. Counsel for Appellants: Sri S.C. Upadhayay. Ld. Counsel for Respondent: Sri Raj Kishore Sinha. Ld. Counsel Sri Pramod Kr. Sinha for petitioners namely Basudeo Yadav, Binod Yadav and Dindayal Yadav. It is submitted on behalf of petitioners Basudeo Yadav, Binod Yadav and Dindayal Yadav that they have filed a petition dated 18.12.2025 for making them party in this appeal as intervenor. It is further submitted that recently they came to know that this title appeal is going on with respect to land on Khata No. 3 consisting different plots for total area 82.54 acres of Mauza- Jirjhuliya, Pargana- Chakai, Anchal and P.S. Sono (Batiya) District Munger at present District-Jamui. It is further submitted that one Aklu Manjhi was the recorded tenant as well as Thekedar of Khata No. 3 who died living behind his son Barku Manjhi and Jurawan Manjhi who jointly settled the land of Khata No. 3 consisting different plots for an area 44 acre and 34 decimal on 16.12.1938 in favour of Umrao Gope S/o Kanhai Gope and the petitioners are descendants of Umrao Gope and they came to know that their land is involved in the appeal, hence, the necessity for filing this petition for intervenor arose. It is further submitted that plaintiff-respondent and defendant-appellant deliberately and in collusion with each other had not made the petitioners as party of suit or appeal. In rebuttal rejoinder is filed on behalf of appellant today itself stating therein that the title suit was filed in the year of 1990 and this appeal is pending since 2007 and the petitioners after expiry of almost 35 years have filed present petition without assigning sufficient, reasonable and believable reasons. Furthermore, there is nothing in the petition of intervenor as to how they got knowledge about the appeal and moreover this appeal can be decided even in the absence of intervenor. It is submitted that the petitioner has filed the intervenor petition with an ulterior motive and without any supportive documents just to delay the matter when this appeal came on day to day hearing and about to dispose	

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of.

The present appeal, instituted in the year 2007, arises out of Title Suit No. 27 of 1990, which unmistakably indicates that the litigation has remained pending for more than 35 years. The petitioners have utterly failed to explain their prolonged inaction or to justify why no application for impleadment was filed during this long intervening period. Significantly, the present intervention petition has been moved only when the appeal has been taken up for day-to-day hearing, which casts serious doubt on the bona fides of the petition.

Moreover, the petitioners have not brought on record any documentary material in support of their alleged claim. At such a highly belated stage, mere bald assertions, unsupported by cogent documents, do not satisfy the requirements of law. The circumstances clearly indicate that the present intervention petition has been filed solely to delay the disposal of the appeal and is wholly devoid of merit.

Accordingly, the intervention petition dated 18.12.2025 is hereby dismissed.

List the matter on 20.12.2025 for argument.

(Dictated)