

**In the Court of Principal Sessions Judge, Sheohar, Bihar**

**Title Appeal No.-41/2007**

**Ref :- Arising out of Title Appeal No.-41/2007, Dated-02.06.2007.**

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**In the matter of :-**

Sonelal Mahto, S/o Late Makhan Mahto, R/o Village- Purnahiya, PS- Purnahiya, District- Sheohar ----- **Appellant**

**Vrs.**

1. Shiv Shankar Mahto, S/o Late Mahabir Mahto,

2. Shiv Chandra Mahto, S/o Late Mahabir Mahto ----- **Respondents 1<sup>st</sup> Party**

3. Sukdeo Mahto, S/o Late Lakhan Mahto,

4. Lalo Mahto, S/o Late Lakhan Mahto, All are R/o Village- Purnahiya, PS- Purnahiya, District- Sheohar ----- **Respondents 2<sup>nd</sup> Party**

**Learned counsel for the petitioner : Shri Ram Kailash Prasad Singh, Ld. Advocate.**

**Learned counsel for Opp. Party : Shri Shailesh Nandan Singh, Ld. Advocate.**

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**16.03.2026:-**

**ORDER**

The learned counsels have filed their attendance on behalf of the respective parties.

From perusal of the order-sheet it transpires that initially this Title Appeal was filed before Sitamarhi District Judgeship. However, after creation of court in Sheohar District this Title Appeal was transferred to Sheohar Judgeship. Since the lower court record was not sent earlier, on the application filed by the appellant the court directed the office to call for lower court record from District- Sitamarhi vide order dated- 29.02.2016.

From perusal of record and letter no.-71, dated-28.05.2024 and letter no.-45/2025, dated-14.07.2025 sent by this court, it is evident that several communications have been done with Sitamarhi District but till date the record of Title Suit No.-13/2004 (Judgment dated-30.04.2007, Decree dated-14.05.2007) passed by Sri Ranjit Kumar Verma, Munsif, Sheohar (Sitamarhi) has not been sent till date. It appears that there is no possibility that

the said record will be received by this court in near future.

In view of above this court directed to file the self attested documents, examination of witnesses recorded in connection with Title Suit No.-13/2004 to this court so that this Title Appeal may be heard and disposed on 19.01.2026, however till date none of the parties have filed the same.

It is an old case of the year-2007. This appeal was filed on 02.06.2007. Nearly 19 years have passed since filing of this appeal and passing of judgment and decree in Title Suit No.-13/2004. Without original record this case cannot proceed further.

In view of the above office is directed to consign the record of this case to the record room with a direction to produce the record of this case after receiving of the original record of Title Appeal No.-41/2007.

**(Dictated)**

**Sd/-**

**Principal Sessions Judge,  
Sheohar  
16.03.2026**