

**In the Court of Sukul Ram, Sub-Judge Cum ACJM, Narkatiaganj**

**Title Suit No. 49 /2022**

**Nimesh Mishra.....Plaintiff**

**V/S**

**Pramod Kumar Shukla & Others.....Defendants**

<u>DATE</u>	<u>ORDER</u>	<u>REMARKS</u>
26.11.2025	<p>Both parties file their attendances. A petition dated 10.06.2025 has been filed on behalf of the intervenor under Order 01 Rule 10 and section 151 of C.P.C. which is fixed for order today on 26-11-2025.</p> <p>Learned counsel of the intervenors prayed that the Plaintiff has filed the suit for declaration of right, title and confirmation of possession over schedule-1 land of Plaintiff and also for declaration. The sale deed no. 11869 and 11870 each dated 20-11-2021 are illegal, collusive, without consideration, in operative, in effective, void-ab-initio and not binding upon the Plaintiff with other reliefs. The suit plot no. 773 measuring 0-1-8 with other land was in share and possession of defendant no. 3 with absolute right and title who sold away by adequate consideration in favour of Parmod Kumar Shukla the defendant no. 1 vide registered sale deed no. 11870 dated 20-11-2021 and parted in possession of defendant no. 1 as bonafide purchaser. Defendant no.1 was need of money so he searching purchaser and the petitioners seeing the sale deed and found possession of defendant no. 1 over the suit plot 773 measuring 0-1-18 the petitioner no. 1 Sushil Kumar purchased measuring 8 dhur land with a consideration of Rs. 118000/- vide registered sale deed no. 1958 dated 10-03-2023 and petitioner no. 2 Manju Devi purchased measuring 1 katha land with a consideration of Rs. 497000/- vide registered sale deed no. 1959 dated 10-03-2023 and came in</p>	

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possession over their respective purchased land as bonafide purchasers with absolute right and title. That prior to sell the suit plot no. 773 Geeta Devi build up boundary wall around the purchased land of the petitioners and planted mango tree and after purchased by the petitioners came in possession with boundary wall and mango trees and paid price of same to the defendant no.1 which is mentioned in the sale deeds of petitioners. In March, 2025 the Plaintiff make interference in peaceful possession of petitioners over suit plot no. 773 and illegally cut down the green mango tress situated in suit plot no. 773 and tried to dispossess the petitioners, so a situation of apprehension of breach of peace and hence a proceeding u/s 163 BNSS vide case no. 619/2025 started by learned SDM, Narkatiaganj in which the Plaintiff 2<sup>nd</sup>. Party filed their show cause on 30-05-2025 and in para no. 6 of the show cause averred that T.S No.-49/2022 has been filed which is pending for disposal and after that the petitioners for the first time got knowledge about this title suit and after taking legal opinion, the petition is being filed. The petitioners are bonafide purchasers with value without notice about this suit so they are entitled to come on record in order to workout the equity in their favour as defendants for protect their right and interest. The presence of petitioners as defendants before this learned court is necessary in order to enable the court effectively and completely to adjudicate upon and settle all the questions involved in the suit. It is therefore prayed to allow

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the petitioner pleaded as defendants no. 7 and 8 respectively in this suit.

No rejoinder has been filed by the Plaintiff but the petition of the intervenors was orally opposed.

Heard the learned counsel for both the parties and perused the record. From perusal of the record it appears that the record is fixed for order on the petition of the intervenors dated 10.06.2025. Intervenors prayed to to allow the petitioner pleaded as defendants no. 7 and 8 respectively in this suit. After perusal of record it appears that the petition of the intervenors is lawful. The intervenors appears to be a necessary party to the suit. Therefore, in the interest of justice the petition of the intervenors under order 1 rule 10(2) and section 151 of the C.P.C is hereby allowed.

Put up on 06-02-2026 for further proceeding.

Dictated

Sub-Judge-I

Narkatiyaganj