

In the Court of Civil Judge (Senior Division)-I, Koderma

Present:- Manoranjan Kumar-III
Civil Judge (Senior Division)-I,
Koderma.

Koderma, Dated the 15th Day of September, 2025

Original (Title) Suit No- 54/2022
C.N.R No. JHKD020001452022

1. Sudhir Kumar, aged 58 years

S/o Late Ram Lakhan Ram

2. Manoj Kumar, aged 52 years

S/o Late Ram Lakhan Ram

3. Anita Devi aged 52 years

D/o Late Ram Lakhan Ram

All are R/o C.H. High School Road, Ward No. 15

Near Shanti Bhawan, Jhumri Telaiya,

P.S. Telaiya, District- KodermaPlaintiffs.

Vrs.

1. Anil Kumar aged 56 years

S/o Late Krishna Ram

2. Prem Chand Ram, aged 64 years

S/o Late Krishna Ram

3. Surendra Prasad aged 62 years

S/o Late Krishna Ram

4. Madhuri Devi aged 63 years

D/o Late Krishna Ram

5. Manju Devi aged 52 years

D/o Late Krishna Ram

6. Birendra Kumar aged 60 years

S/o Late Prakash Ram

7. Ranjit Kumar aged 53 years

S/o Late Prakash Ram

8. Gaurab aged 30 years

S/o Late Sunaina Kumari

G/S of Late Prakash Ram

9. Sourab aged 28 years

S/o Late Sunaina Kumari

G/s of Late Prakash Ram

10. Prerna aged 32 years

D/o Late Sunaina Kumari

G/d of Late Prakash Ram

11. Sudhanshu Ranjan aged 32 years

grand son of Late Prakash Ram

12. Himanshu aged 30 years

grand son of Late Prakash Ram

13. Namrata aged 31 years

grand daughter of Late Prakash Ram

14. Rameshwar Ram aged 52 years

S/o Late Amrit Ram

15. Santosh Kumar aged 52 years

S/o Late Siyawati Devi

16. Malti Devi aged 50 years

D/o Late Siyawati Devi

17. Usha Devi aged 48 years

D/o Late Siyawati Devi

18 Tusni Devi aged 46 years

D/o Late Siyawati Devi

19. Nilu Devi (died & deleted)

20. Nitu Devi aged 40 years

D/o Late Siyawati Devi

Defendants no. 14 to 19 are grand son & grand daughter
of Late Amrit Ram

All are R/o C.H. High School Road, Ward No. 15 Near
Shanti Bhawan, Jhumri Telaiya, P.S. Telaiya,
District- Koderma**Defendants.**

Advocate on behalf of Plaintiffs- Sri Satyanarayan Prasad,
Ld. Advocate

Advocate on behalf of Defendants- Sri Sunny Kumar
Ld. Advocate

Judgment

1. The plaintiffs have brought this suit and sought
following reliefs:-

*(a) Decree of 1/5th share in Schedule "A" and decree of
1/5th share in Schedule "B" be passed in favour of the
plaintiff.*

*(b) Survey Knowing Pleader Commissioner be appointed
and order him to prepare separate Takhta of plaintiff's
share of Schedule "A" & "B" the suit property.*

(c) Cost be awarded in favour of the plaintiffs

*(d) Relief or reliefs as court deems fit to be passed in
favour of the plaintiff's*

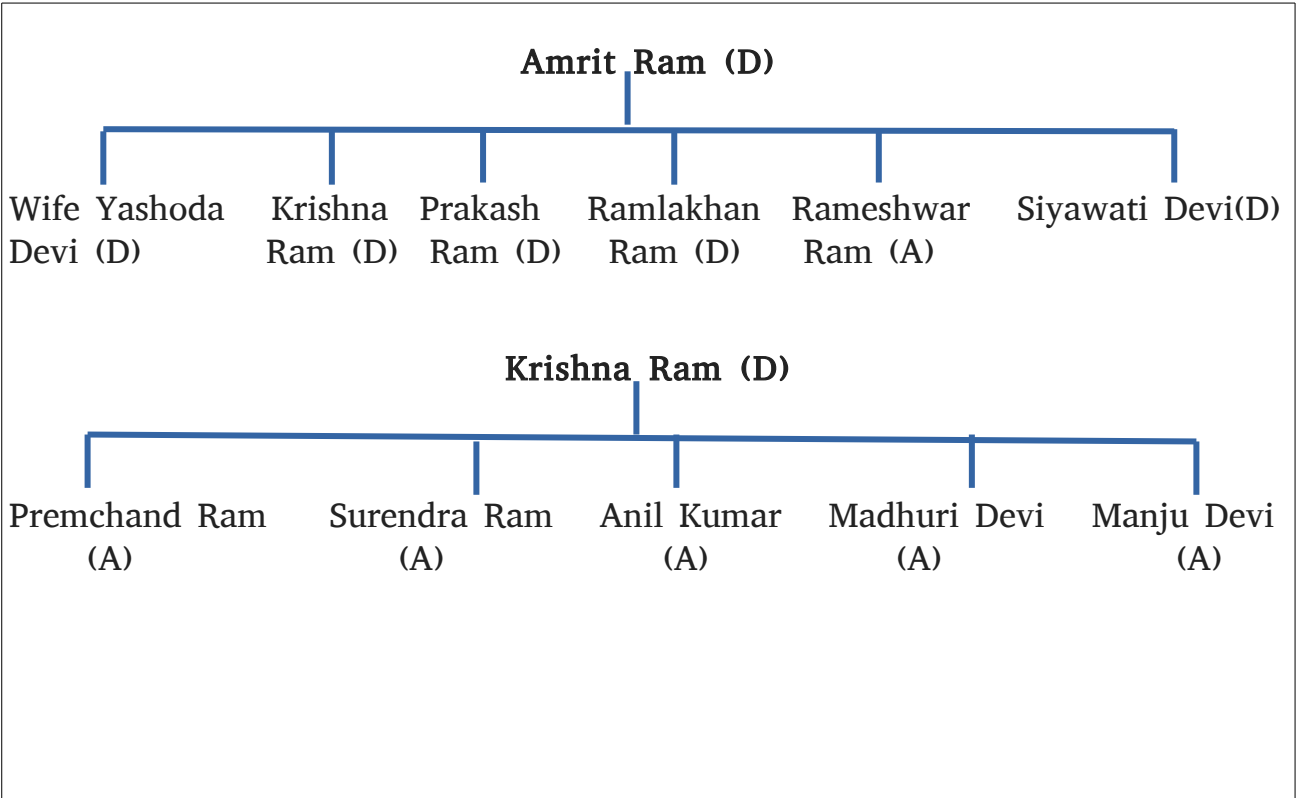
2. Plaintiff's suit in brevity is that the Smt. Yashoda
Devi W/o Sri Amrit Ram purchased land under khata no.
31/183, Plot No. 18/304 & 18/306 area 12 decimal, P.S.
No. 246 Mauza Belatand Pragna Gumo, P.S. Koderma,
District- Hazaribagh now P.S. Telaiya, Dist- Koderma by
virtue of registered sale deed no. 925 dated 05.02.1955.
Amrit Ram S/o Bihari Ram purchased land under khata
no. 31, plot no. 18/379 area 8 decimals Mauza Belatand,
P.S. No. 244, Pragana Gumo P.S. Koderma Dist-

Hazaribagh now P.S. Telaiya District- Koderma by virtue of registered sale deed no. 5080 dated 26.03.76 from Bishun Singh S/o Dhani Singh. After purchase they got mutation of their above land in their name & obtained rent receipt and came in right, title, interest & peaceful possession on their above purchased land. Smt. Yashoda Devi W/o Amrit Ram and Amrit Ram S/o Bihari Ram were governed under Hindu Mitakshara School. Husband & wife constructed boundary wall on their above purchased land. Smt. Yashoda Devi & her husband Amrit Ram constructed double story pucca building consisting 18 Rooms, 3 kitchen, 1 pucca well and two latrine in ground floor, on first floor 1 bathroom and attach latrine began to live with their children in schedule "A" which has been fully described at the foot of the plaint. Ram Lakhan Ram took electric line no. JED00721 & water connection in his name. Yashoda Devi & Amrit Ram breathed their last in joint family to leave their four sons namely Krishna Ram, Prakash Ram, Ram Lakhan Ram, Rameshwar Ram & a daughter Siyawati Devi. Genealogical table of Late. Amrit Ram S/o Late Bihari Ram has been fully described at the foot of the plaint which will be part and partial of the plaint Land of khata no. 31/183 plot no. 18/304 and plot no. 18/306 area 12 decimals has been fully described in schedule "A" at the foot of the plaint. Land of khata no. 31, plot no. 18/379 area 8 decimals has been fully described in Schedule "B" at the foot of the plaint. This land is also under boundary & parti. The plaintiff's father share is 1/5th in Schedule "A" 1/5th in Schedule "B". After death of Yashoda Devi & Amrit Ram their sons Krishna Ram, Prakash Ram, Ram Lakhan Ram & their

daughter Siyawati Devi began to face family members population day by day and accommodation problem arose among joint family members of deceased Amrit Ram. The plaintiff's placed a proposal before defendants for partition the suit land and building of Schedule "A" and "B" on 15th April 2022. But the defendants refused for partition and there was no any other remedy except partition before the plaintiffs.

That cause of action arose on 15th April 2022 when the defendant refused to partition the suit property and plaintiff's begun to face problem day-by day for accommodation in the jurisdiction of the court & this court has jurisdiction for trial this partition suit. Value of the suit property schedule "A" & "B" are rupees more than 50 lakhs but, it simple partition hence fixed court fee is going to be filed.

Genealogical Table of Amrit Ram S/o Late Badri Ram



Prakash Ram (D)					
Wife Basanti Devi (D)	Birendra Kumar (A)	Ranjeet Kumar (A)	Suniana Kumari(D)	Mina Devi(D)	
			Raj Kumar Prasad (Husband (A)	Amrendra(A) Kumar (Husband)	
	Gaurab (A)	Saurab (A)	Prerna (A)		
		Sudhanshu (A)	Himanshu (A)	Namrata (A)	
Ram Lakhan Ram					
Gayatri Devi (D) wife	Sudhir Kumar (A)	Manoj Kumar (A)	Anita Devi (A)		
	Siyawati Devi (D) Wife of Chhotu Ram (D)				
Santosh Kumar (A)	Malti Devi (A)	Usha Devi (A)	Nitu Devi (A)	Nilu Devi (A)	Tushni Devi (A)

Schedule ‘A’

Khata No.	Plot No.	Area
31/183	18/304	12 decimal
	18/306	
Doubly story pucca 18 room, 1 pucca well, pucca 3 kitchen, 2 latrine in ground floor on 1 st floor one bathroom attached latrine.		

Mauza Belatand Pragna Gumo, P.S-Koderma, District-Hazaribagh now P.S-Telaiya, District-Koderma.

Bounded :-

North: Vishram Singh

South: Siraj Devi

East: Dhani Singh's Gadha

West: Rasta.

Schedule 'B'

Khata No.	Plot No.	Area
31	18/379	08 decimal

Mauza Belatand Pragna Gumo, P.S-Koderma, District-Hazaribagh now P.S-Telaiya, District-Koderma.

Bounded :-

North: Madan Lal

South: Bishun Singh Niz

East: Rudra Narayan Singh

West: Amrit Ram.

3. After admission of the suit and following due procedure and after service of notice the defendants appeared and admitted the claim of the plaintiffs while defendant no. 14 filed his written statement on 10.11.2022 mentioning therein that the instant suit is not maintainable as framed. Prior to this, the plaintiffs have filed a Partition Suit with the same reliefs and the said suit bearing no. 82/2014 was dismissed by the Civil Judge, Senior Division No. 1, Koderma on 12.07.2019 due to regular absence of the plaintiffs and also in default of not taking proper steps and also due to non-compliance of the

learned court's order, but the plaintiffs have not mentioned the above facts in the present suit, as such this suit is fit to be dismissed. The plaintiffs have filed the present suit on false and concocted facts and on false and fake allegations, so the same is not maintainable in its present form. This suit is hopelessly barred by law of limitation, acquiescence, waiver and estoppels and as such the said suit is not maintainable and is fit to be dismissed. The plaintiffs have filed the suit after suppressing the existing facts and after concealing the real facts and circumstances and filed the suit on false concocted incorrect and erroneous grounds and allegations as such the present suit is not maintainable in any manner. The plaintiffs have got no cause of action for the suit and those mentioned in paragraph no. 12 of the plaint are false, imaginary and creation of futile brain of the plaintiffs for the purpose of the suit. The suit is also barred under the provisions of the specific Relief Act. From the perusal of the plaint, after naming the names of defendant no. 20, it is as under:-

“Defendant no. 14 to 19 are grand sons and grand daughters of Late Amrit Ram”.

In fact this verdict of the plaintiff is wrong mischievous and far from the truth as defendant no. 14 Rameshwar Ram is neither grand son of Late Amrit Ram nor any other relations as grand relations, whereas said Rameshwar Ram is the son of Said Late Amrit Ram. The plaintiffs to suit have concealed most important facts and twisted some facts for their immoral and illegal gain. The suit is motivated with ill design with a view to grab the suit land and to debar this defendant no. 14 from his rightful

ownership and possession illegal by using force and violence and also pressuring this defendant no. 14 by implicating in false and illegal case. The instant suit is in fact a suit for seeking title and recovery of possession in grab of a suit for partition, which is not maintainable in law, in view of the fixed court fee paid in the suit in place of advalorem court fee on proper valuation. The real truth is this that the suit has been grossly under valued and the suit cannot proceed unless the plaintiffs pray for the correct and appropriate reliefs, which ought to have been prayed by them for state of affairs and situation, that was prevailing at the time of filing the present suit, the plaintiffs had already stated in the prior suit no. 82/2014 regarding valuation of the suit land at 50 lakhs and now in the year 2022 in the present suit have again shown the valuation of the suit land is Rs. 50 lakhs. Whereas area is same but after passing of about 8 years the market rate / valuation has been enhanced so now the value of the suit land can not less than about at least 90 lakhs. In fact the plaintiffs should come with clean hand stating the correct things. Any clandestine and skillful drafting of the plaint cannot have the effect of brushing aside the real state of affairs. There no civil right, available to the plaintiffs for the present suit. Besides above, the instant is suffered from non joinder of proper party and of misjoinder of necessary parties as such the suit cannot proceed in absence of the necessary parties. The plaintiffs have no right to bring the suit against the defendants. The plaint is neither properly verified nor affidavited as per provisions and rules of the code of civil procedure. The present suit is out and out a title suit but the plaintiffs have filed a suit for portion,

which is fit to be dismissed. The statements made in paragraph nos 1, 2, 3 and 4 of the plaint, the plaintiffs be put to strict proof thereof. The statements made in paragraph nos 5 and 6 of the plaint are not fully described correctly hence not admitted and whatever have been described even in schedule A and b besides above all legal heirs and successors of said Amrit Ram and his wife Yasoda Devi have not shown in the geneology as given in the plaint after the reliefs paragraph no. 14. In fact in para no. 5 of the plaint is admitted to the extent that Amrit Ram had constructed a puca building consisting only 12 rooms, three kitchen, one pucca well and two latrine in ground floor only, but construction on the first floor of the suit land had been constructed by this defendant no. 14 with the help of his sons and Krishna Ram with his sons and Prakash Ram with his sons had constructed some rooms for their accommodation on the first floor and time to time as well some construction and modification on the ground floor was being done by this defendant no. 14 from the support of his sons. As per their requirement as the eldest son of Amrit Ram namely Krishna Ram was shifted to their own another houses and he had no interest in the house over the suit land. And third son Ram Lakhan Ram with his family ahd also shiefted in another house of this defendant no. 14 with due permission by this defendant no. 14 to live in only (deceased father of the plaintiffs was aid Ram Lakhan Ram) and in the said house where Ram Lakhan Ram was living with his family said Amrit Ram breathed his last in about the year 1987 and later on Yasoda Devi W/o Amrit Ram died in the year 2015. And the statements made in

paragraph no. 6 of the plaint is admitted to extent that Amrit Ram and his wife Yasoda Devi died leaving behind them their four sons namely Krishna Ram, Prakash Ram, Ram Lakhan Ram, Rameshwar Ram and one daughter Siyawati Devi. Krishna Ram died leaving behind him his three sons namely Premchand Ram (Defendant No. 2) Surendra Ram (Defendant No. 3) Anil Kumar (Defendant NO. 1) and two married daughters namely Madhuri Devi (Defendant No. 4) and Manju Devi (Defendant No. 5) said Premchand Ram from the wedlock with his wife Meena Devi have two sons namely Amit Kumar and Ansu Kumar and one married daughter namely Khusbu Devi. Amit Kumar from the wedlock with his wife Rashmi Devi have two minor sons. Ansu kumar from the wedlock with his wife namely Swati Devi have one minor daughter. Second son of Krishna namely Surendra Kumar from the wedlock with his wife Saroj Devi have two sons namely) Ankit Kumar and Rohit Kumar. Ankit Kumar from the wedlock with his wife Shital Devi have one minor son. And third son of Krishna Ram namely Anil Kumar from the wedlock with his wife Anuradha Devi have two sons Subham Kumar and Satyam Kumar. The Second Son of Late Amrit Ram namely Prakash Ram from the wedlock with his wife Basanti Devi have two sons namely Birendra Kumar (Defendant No. 6) and Ranjit Kumar (Defendant No. 7) and two married daughters namely Sunaina Devi and Meena Devi. The eldest son of the Late Prakash Ram namely Birendra Kumar from the wedlock of his wife Sarita Devi have three daughters namely Swati Kumari, Sweta Kumari and Vijeta Kumari and one son namely Prince Kumar. The Second son of Late Prakash Ram namely Ranjit Kumar

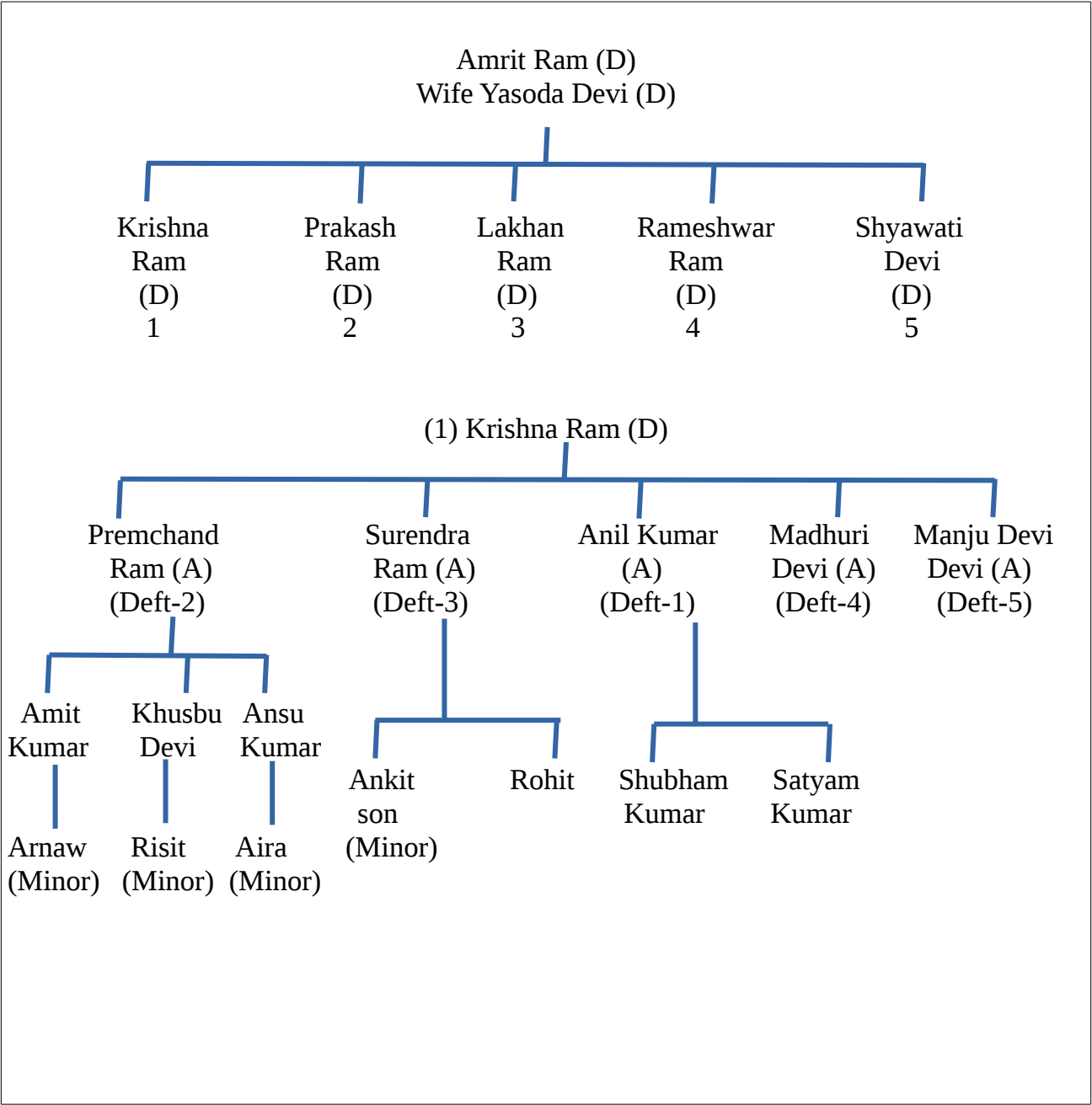
from the wedlock with his wife Shila Devi have one son namely Vaibhaw Kumar and one daughter namely Barkha Kumari. Said Sunaina Devi D/o Late Prakash Ram died leaving behind her two sons namely Gaurav (Defendant no. 8) and Saurabh (Defendant No. 9) and one daughter namely Prerna (Defendant No. 10) Said Meena Devi D/o Late Prakash Ram died leaving behind her two sons namely Sudhansu (Defendant No. 11) and Himansu (Defendant No. 12) and one daughter namely Namrata (Defendant No. 13). The third son of Late Amrit Ram namely Ram Lakhan Ram (now dead) from the wedlock with his wife Gayatri Devi (Now dead) have two sons namely, Sudhir Kumar (Plaintiff no. 1) Manoj Kumar (plaintiff no. 2) and one daughter namely Anita Devi (plaintiff no. 3). The fourth son of Late Amrit Ram namely Rameshwar Ram (defendant no. 14) though his name has not found place in genealogical table of the plaint. Said Rameshwar ram from the wedlock with his wife Manju Devi have four son namely Shubhrant Prasad , Simant Prasad, Nishant Prasad and Prasant Kumar. Said Shubhrant Prasad from the wedlock with his wife Punam Devi have two minor sons. Said Simant Prasad from the wedlock with his wife Savita Devi have one minor daughter and one minor son. Said Nishant Prasad from the wedlock with his wife Punam Kumari have one minor son and one minor daughter. Said Prasant Kumar from the wedlock with his wife Neha Kumari have one minor son.

The only daughter of Late Amrit Ram namely Siyawati Devi died leaving behind her one son namely Santosh Kumar (Defendant No. 15) and five married daughters namely Malti Devi (Defendant No. 16) and Usha Devi

(Defendant No. 17) and Nitu Devi (Defendant No. 20) and Nilu Devi (Defendant No. 19) but Nilu Devi died much earlier inspite of that her name has been named in defendants list as defendant no. 19 and her name also found place in genealogical table of the plaint in fact said Nilu Devi died leaving behind her two sons and five daughters and Tushini Devi (Defendant No. 18) Besides above one more fact is necessary to state that all the married daughters of Siyawati Devi are married at Gaya and Nawada Districts but their addresses in the plaint have been mentioned at Jhumri Telaiya in Koderma District, which is completely a foul game committed by the plaintiffs with a view to wrong intention with some ulterior motive. Here it is a place to state that the present suit is being filed for partition hence all the legal heirs and successors of Late Amrit Ram such as two sons and one daughter (all are alive) of Prem Chand Ram (defendant No. 2) and two sons and one grand son (all are alive) of Surendra Ram (defendant No. 3) and two sons (all are alive) of Anil Kumar (defendant No. 1) and three daughters and one son (all are alive) of Birendra Kumar (defendant No. 6) and one son and one daughter (all are alive) of Ranjit Kumar (Defendant No. 7) and four sons and five grand sons and two grand daughters (all are alive) of Rameshwar Ram (defendant No. 14) and two sons and five daughter (all are alive) of Late Nilu Devi are the necessary Parties but have not been parties as defendants to the instant suit, which a clear cut case of mis-joinder of the necessary parties and on this score, the instant suit is fit to be dismissed. So for the perusal, a correct and complete geneology of Late Amrit Ram is hereby given

below. The genealogical table as described in the last after reliefs of the plaint is in complete and incorrect the plaintiffs have not come with clean hands before the court of justice and after concealing the existing facts. The suit has been filed for wrongful gain and for wrongful loss to the defendants as such the plaintiffs be prosecuted for concealing the real facts. However as all above persons are the necessary parties to the suit and same apparent from the genealogy of Late Amrit Ram and his wife Yasoda Devi is as Under:-

GENEOLOGY



(2) Prakash Ram (D)						
Birendra Kumar (Deft6)		Ranjit Kumar (Deft-7)		Sunaina Devi		Meena Devi
Swati Kumari	Sweta Kumari	Vijeta Kumari	Prince Kumar	Gaurav (Deft-8)	Saurabh (Deft-9)	Perna (Deft-10)
Vaibhaw		Barha Kumari		Sudhansu (Deft-11)	Himansu (Deft-12)	Homrata (Deft-13)
(3) Ramlakhan Ram (D)						
Sudhir Kumar (Plff-1)		Manoj Kumar (Plff-2)		Anita Devi (Plff-3)		
(4) Rameshwar Ram (A) (Deft. No. 14)						
Shubhrant Prasad		Simant Prasad		Nishant Prasad		Prashant Prasad
Sivam (Minor)	Tejas (Minor)	Sweksha (Minor)	Swyam (Minor)	Nipun (Minor)	Samridhi (Minor)	Aryan (Minor)
(5) Siyawati Devi (D) W/o- Chotu Ram						
Santosh Kumar (Deft-15)	Malti Devi (Deft-16)	Usha Devi (Deft-17)	Nitu Devi (Deft-20)	Nilu Deft. No. 19 through dead		Tushni Devi (Deft 18)
Rajesh Kumar	Dhiraj Kumar	Daughter	Daughter	Daughter	Daughter	Daughter

The statements made in paragraph nos 7 and 8 are nothing repetition of paragraph nos 1 and 2 so the plaintiffs be put to strict proof there of. The statements made in paragraph nos 9, 10 and 11 of the plaint are false, malicious and whittle hence denied as it is wrongly calculated about the plaintiffs claim of 1/5 th share in suit properties. The true fact is this that sons of said Amrit Ram namely Krishna Ram, Ramlakhan Ram had already purchased land at different places at Jhumri Telaiya. And Rameshwar Ram S/o Late Amrit Ram had also purchased a land including the house thereon just infront of old house. In course of time said Krishna Ram and Ramlakhan Ram had constructed house on their purchased land. Krishna Ram and his family members were started to live in their constructed house much prior to this suit. (i.e. about 20 years ago). Prakash Ram and his sons before the death of Prakash were living in the suit house, Similarly Defendant No. 14 Rameshwar Ram with his family were and are living in house of the suit property and was doing business and had constructed and modified on ground floor and also constructed rooms etc. on first floor with the help of his sons on his share and on the share of said Ramlakhan Ram (deceased father of the plaintiff) as his own. Taxes of suit house is being paid jointly except the father (now deceased) of the plaintiffs and in the year 2013 this defendant no 14 had taken a separate electric line vide connection no JED06143 in this own name on the suit land/house. Further more, it is stated that this defendant no. 14, Rameshwar Ram had purchased 14 decimal land out of 36 decimals including a Kuchcha

house thereon with in khata no. 21 (old) new khata no 1088, plot no 3452 (old) and new plot no 7425, 7426 and 7427 of village Mauja Telaiya, Pragana - Gumo P.S. Koderma, Thana No. 244, Under old ward No. 3, New Ward No. 15 and now ward no. 10 Holding no. 192, 193, (old), new Holding No. 190 within Notified Area committee now Nagar Parshad Jhumri Telaiya, P.S. Telaiya, P.O. Jhumri Telaiya, District Hazaribag now District Koderma from one Rameshwar Prasad S/o Late Durga Prasad vide registered sale deed no. 20843 dated 23.11.1971 And on one mutation application by this Rameshwar Ram (defendant No. 14) mutation of said 14 decimals land has already been allowed vide mutation case no. 176/1973-74 and vide Rent Fixation case No. 5/1979-80, Serial No. 51/82-83 has already been allowed by the L.R.D.C. Koderma on the basis of Mutation case no. 176/1973-74 in the name of Rameshwar Ram (Defendant No. 14) but later on after laps of long period, this Rameshwar Ram is trying to obtain rent receipt but by this way or that way the issuance of rent receipt was and is being deferred. At present the Deputy commissioner Koderma had call for an enquiry report in connection with the issuance of rent receipts in the name of this Rameshwar Ram from the Anchal Adhikari Koderma. In complain ID no. CMP00916 so the Anchal Adhikari, Koderma had sent a report vide letter no. 349 dated 05-03/2022 to the Deputy Commissioner Koderma which report is being obtained by son of said Rameshwar Ram namely Simant Prasad through R.T.I process vide Gyapank 535/ Jan Shikayat Kosang dt. 07-04-2022. It is further submitted that the defendant no. 14 Rameshwar Ram had

constructed a pucca house over his purchased land in the year 1982-83 and thereafter about in the year 1985 the said Rameshwar Ram became heart patient due to acute Dama (Bronkites) and Hapni and due to deterioration in health has become unable to continue his business so his brother Ram Lakhan Ram (deceased father of the plaintiffs came forward and started to see and continue the business of this Rameshwar Ram and in circumstances on request of Ramlakhan Ram said Rameshwar Ram to allow him to remain in his said constructed house in good faith near about in the year 1985-86. Said Rameshwar Ram being a chronic heart patient under regular treatment at AIIMS, New Delhi 110029 in Cardiod thoracic and Neera Science center since land and thereafter bypass surgery had been taken place and he had been advised to take complete rest in all manners and as such usually he has to visit to AIIMS, New Delhi for regular checkup. As such said Rameshwar Ram could be able to file petition dated 24-02-2014 before the then Anchal Adhikari, Koderma for issuance of rent receipt upon which the Anchal Adhikari has become to pass the final order on 07-08-2014 with some observations as the plaintiffs were lying false claim on the basis of farzi sale deed no. 10037 dated 25.11.1983 alongwith some mutation order on pre allowed permission but the learned Anchal Adhikari, Koderma, who persuaded the Revenue Record and report, where it was found so many irregularities, cutting, addition and alternation etc from different ink therein and also perused baseless entries and also found some manufactured and created documents of Gayatri Devi (Now deceased) wife of Late Ram Lakhan Ram resulting which it is observed that the entry of the

name of Gayatri Devi in Register II seems to be suspicious. In such state of affairs the Anchal Adhikari has to stop the issuance of rent receipt immediately in the name of Gayatri Devi so that no rent receipt could be issued in future but it was not done and the said Anchal Adhikari has stopped the case of the defendant no 14 Rameshwar Ram so said defendant no. 14 Rameshwar Ram had to file a Misc Mutation Appeal no. 4/2015 before the learned Land Reform Deputy collector, koderma but the same had been dropped after getting a false and without jurisdiction order of the A.C. Koderma.

At present the defendant no. 14 with his family members are residing in suit property since more than 37 years or onward. On the above fact and Circumstances of the case, it is not correct to say that there is accommodation problem on the suit property, in fact the family members of deceased Krishna Ram and Ramlakhan Ram (now deceased) had neither residing nor taking any interest in the suit property but plaintiffs have filed this suit only with a view to divert this defendant Rameshwar Ram so that said Ramehswar Ram could not claim over his house on his purchased land. These plaintiffs are adamant to grab the land and house of Ramehswar Ram by implicating him in this false and fabricated case. It is, hereby submitted that the defendant no. 14 Rameshwar Ram had filed a sanha no. 61/2014 dated 18.02.2014 against the plaintiffs and others stating the entire affairs in the court of the S.D.M. Koderma. The plaintiffs have no valid cause of action for filing the suit. The cause of action as well as allegations as mentioned in the plaint in paragraph no. 12 of the plaint are false and concocted and

self serving and are denied. The plaintiffs have purposely given very low valuation of the Suit Property and its detail have been mentioned in para 12 of this written statement.

The plaintiffs are not entitled to any of the relief or reliefs as claimed in the suit and the suit is fit to be dismissed with compensatory cost to this defendant as it is hereby submitted that the instant suit has been filed on false, incorrect and concocted and also on twisted fact by suppressing the real state of affairs. The statement which have not been specifically admitted are hereby denied in entirety. The relevant documents are hereby submitted by this defendant in a separate list of documents after getting from the different courts within the local jurisdiction. The instant suit is fit to be dismissed with cost to the defendants.

4. After completion of appearance of defendant in compliance of Order-X, Rule-1 C.P.C the record was sent for ADR before Mediation Centre, Koderma and a success report was received to this court from D.L.S.A.,Koderma vide its letter no. 193/2024 dated 16.02.2024.

In the Mediation Report it is mentioned that the instant suit has been brought by the original plaintiff against the defendant for 1/5th share in Schedule “A” and decree of 1/5th share in Schedule “B” be passed in favour of the plaintiff. At the intervention of well wishers, the parties to the suit think proper to compromise in this suit and not to contests the suit and thus they have compromised the case and settled all their dispute and differences out of their own free will and consent without

any kind of pressure, coercion, compulsion, influence or threat from any corner whatsoever. The parties do not want to proceed further with this suit in view of the compromise arrived in between the parties. It is prayed to accept the Mediation Report along with point of settlement and pass a compromise decree in the suit.

5. Plaintiff's Evidence:-

P.W. 1 Sudhir Kumar

P.W. 2 Manoj Kumar

P.W. 3 Anita Devi

6. Defendant's Evidence:-

D.W.1 Ranjit Kumar

Argument

7. Ld. counsel for the plaintiff argued that originally the suit was filed by the plaintiff against the defendant for 1/5th share in Schedule "A" and decree of 1/5th share in Schedule "B" be passed in favour of the plaintiffs. Defendants have appeared and filed their written statement and, thereafter, both the parties have consented to settle their dispute amicably for which a joint compromise-cum-agreement has also been formulated with the consent of both the parties and still the parties are consented to follow all the terms and conditions as expressed in the compromise arrived before Mediation Centre, Koderma and Mediation Report is received to this court. Similarly Ld counsel for the defendant submitted that both parties have compromised the case so this case may be disposed of on the basis of compromise.

FINDING

8. In the light of amicable settlement PW 1, P.W.2 and P.W. 3 (plaintiffs) filed their affidavits and admitted the factum of compromise. During examination DW-1 (defendant) also supported the factum of compromise and stated that this case may be disposed of on the basis of compromise. From perusal of the mediation report along with joint compromise-cum-agreement, it is found that the plaintiffs and defendant have amicably settled their dispute as such no dispute remain, so decree is not required to be passed in favour of plaintiffs and no relief can be granted to them and the case is fit to be disposed of in the light of settlement. Hence,

O R D E R

That the suit is hereby disposed/dismissed on compromise took place on the ground of amicable settlement between both the parties, mediation report bearing letter no.193 /2024 dated 16.02.2024 shall be part of the order.

Let a decree be prepared accordingly, parties shall bear their own cost.

Dictated and corrected by me

Pronounced by me

(Manoranjan Kumar-III)
Civil Judge (Sr. Div)-I,
Koderma

Dated-15.09.2025
JO Code-JH00604

(Manoranjan Kumar-III)
Civil Judge (Sr. Div)-I,
Koderma

Dated- 15.09.2025
JO Code-JH00604