



IN THE HIGH COURT OF JUDICATURE AT PATNA
FIRST APPEAL No.139 of 2025

1. Tahira Praveen D/o Late Ishaaq, Wife of Late Sayyed M. Shoheb, R/o Ganj No. 1, Soni School Campus, Ilaram Chowk, Pasi Tola, Ganj No. 1, Ward No. 16, P.S. Bettiah, Post- Bettiah, District West Champaran.
2. Faiyaz Akhtar, s/o Late Haarun Rashid, R/o Ganj No. 1, Soni School Campus, Ilaram Chowk, Pasi Tola, Ganj No. 1, Ward No. 16, P.S. Bettiah, Post- Bettiah, District West Champaran.

... Appellant/s

Versus

1. Naheed Wife of Ikram-ul-Rahman, Daughter of Late Najma Khatun, Resident of C-40, Flat No. S II, Raman Plaza, Shalimar Garden Ext-II, Near Orion Plaza, District- Sahibabad, Uttar Pradesh.
2. Nilofar Khan, Wife of Jalaluddin Bahauddin Dalvi, Daughter of Late Najma Khatun, Resident of C-40, Flat No. S II, Raman Plaza, Shalimar Garden Ext-II, Near Orion Plaza, District- Sahibabad, Uttar Pradesh.
3. Shaukat Ali Khan, Son of Late Liaqat Ali Khan and Daughter of Late Najma Khatun, Resident of C-40, Flat No. S II, Raman Plaza, Shalimar Garden Ext-II, Near Orion Plaza, District- Sahibabad, Uttar Pradesh.
4. Mohammed Ali Khan, Son of Late Liaqat Ali Khan and Daughter of Late Najma Khatun, Resident of C-40, Flat No. S II, Raman Plaza, Shalimar Garden Ext-II, Near Orion Plaza, District- Sahibabad, Uttar Pradesh.
5. Faisal Ali Khan, Son of Late Liaqat Ali Khan and Daughters of Late Najma Khatun, Resident of C-40, Flat No. S II, Raman Plaza, Shalimar Garden Ext-II, Near Orion Plaza, District- Sahibabad, Uttar Pradesh.
6. Sajid Shams, Son of Late S.M. Shamshooz Hauda, R/o Purani Gudari, P.S. and Post- Bettiah, District West Champaran.
7. Khalid Shams, Son of Late S.M. Shamshooz Hauda, R/o Purani Gudari, P.S. and Post- Bettiah, District West Champaran.
8. Rashid Shams, Son of Late S.M. Shamshooz Hauda, R/o Purani Gudari, P.S. and Post- Bettiah, District West Champaran.
9. Zahid Shams, Son of Late S.M. Shamshooz Hauda, R/o Purani Gudari, P.S. and Post- Bettiah, District West Champaran.
10. Majeed Shams, Son of Late S.M. Shamshooz Hauda, R/o Purani Gudari, P.S. and Post- Bettiah, District West Champaran.
11. Bibi Ishrat, Daughter of Late S.M. Shamshooz Hauda, R/o Purani Gudari, P.S. and Post- Bettiah, District West Champaran.
12. Bibi Nujhat, Daughter of Late S.M. Shamshooz Hauda, R/o Purani Gudari, P.S. and Post- Bettiah, District West Champaran.
13. Bibi Nikahat, Daughter of Late S.M. Shamshooz Hauda, R/o Purani Gudari, P.S. and Post- Bettiah, District West Champaran.
14. Kamrujma Joha, Son of Late S.M. Shamshooz Hauda, R/o christian Quarter, C/o Dr. S.N. Joha, P.S. and Post- Bettiah, District West Champaran.





15. Shafiq Joha, Son of Late S.M. Shamshooz Hauda, R/o christian Quarter, C/o Dr. S.N. Joha, P.S. and Post- Bettiah, District West Champaran.
16. Atikujma Joha, Son of Late S.M. Shamshooz Hauda, R/o christian Quarter, C/o Dr. S.N. Joha, P.S. and Post- Bettiah, District West Champaran.
17. Manowar Joha, Son of Late S.M. Shamshooz Hauda, R/o christian Quarter, C/o Dr. S.N. Joha, P.S. and Post- Bettiah, District West Champaran.
18. Sireen Joha, Daughter of Late S.M. Shamshooz Hauda, R/o christian Quarter, C/o Dr. S.N. Joha, P.S. and Post- Bettiah, District West Champaran.
19. Shaheen Joha, Daughter of Late S.M. Shamshooz Hauda, R/o christian Quarter, C/o Dr. S.N. Joha, P.S. and Post- Bettiah, District West Champaran.
20. Nasreen Joha, Daughter of Late S.M. Shamshooz Hauda, R/o christian Quarter, C/o Dr. S.N. Joha, P.S. and Post- Bettiah, District West Champaran.
21. Zeenat Joha, Daughter of Late S.M. Shamshooz Hauda, R/o christian Quarter, C/o Dr. S.N. Joha, P.S. and Post- Bettiah, District West Champaran.
22. Shama Joha, Daughter of Late S.M. Shamshooz Hauda, R/o christian Quarter, C/o Dr. S.N. Joha, P.S. and Post- Bettiah, District West Champaran.
23. Rana Praveen, Wd/o Late S.M. Badru Dauza, R/o House No. 41, Ghariyali Mohalla, behing the Police Chowki, Lucknow, U.P.
24. Faham, S/o Late S.M. Badru Dauza, R/o House No. 41, Ghariyali Mohalla, behing the Police Chowki, Lucknow, U.P.
25. Anas, S/o Late S.M. Badru Dauza, R/o House No. 41, Ghariyali Mohalla, behing the Police Chowki, Lucknow, U.P.
26. Bibi Firoza Khatun, D/o Bibi Asgari Khatun, D/o Late Abdal Wahab, R/o House No. 305, 4th Floor, Sangam Vihar, P.S. Sangam Vihar New Delhi-110062
27. Md. Mustafa, Son of Bibi Asgari Khatun, R/o House No. 305, 4th Floor, Sangam Vihar, P.S. Sangam Vihar New Delhi- 110062
28. Abdul Suhail alias Nanhe Mistri, S/o Bibi Akhtari Khatun, S/o Late Md. Aqeel, R/o Naya Tola, Near Masjid, P.S. Bettiah, District- West Champaran.
29. Shakeel Ahmed alias Chanda Mistri, S/o Bibi Akhtari Khatun, S/o Late Md. Aqeel, R/o Chawani, Lauriya Road, Cantt., P.S. and Post- Bettiah, District West Champaran.
30. Aftab Aalam, S/o Bibi Akhtari Khatun, S/o Late Md. Aqeel, R/o Chawani, Lauriya Road, Cantt., P.S. and Post- Bettiah, District West Champaran.
31. Jamaal Akhtar, s/o Bibi Akhtari Khatun, S/o Late Md. Aqeel, R/o Chawani, Lauriya Road, Cantt., P.S. and Post- Bettiah, District West Champaran.
32. Bibi Farhat Jabeen, D/o Bibi akhtari Khatun, s/o Late Md. Aqeel, R/o Chawani, Lauriya Road, Cantt., P.S. and Post- Bettiah, District West Champaran.
33. Bibi Farida Jabeen, S/o Bibi Akhtari Khatun, S/o Late Md. Aqeel, R/o Chawani, Lauriya Road, Cantt., P.S. and Post- Bettiah, District West Champaran.
34. Bibi Hamida Khatun, D/o Bibi Akhtari Khatun, S/o Late Md. Aqeel, R/o Chawani, Lauriya Road, Cantt., P.S. and Post- Bettiah, District West Champaran.





35. Bibi Sabiha Khatun, D/o Bibi Akhtari Khatun, S/o Late Md. Aqeel, R/o Chawani, Lauriya Road, Cantt., P.S. and Post- Bettiah, District West Champaran.
36. Raiyaj Akhtar, S/o Bibi Asmeena Khatun, S/o Late Sheikh Haarun, R/o Niyamatpur via Sitarampur, Near- Purana Mansi Cinema, District Burdwan, West Bengal, Pincode- 713359.
37. Faiyaz Akhtar, S/o bibi Asmeena Khatun, S/o Late Sheikh Haarun, R/o Niyamatpur via Sitarampur, Near- Purana Mansi Cinema, District Burdwan, West Bengal, Pincode- 713359.
38. Bibi Gulnaar Praveen, D/o Bibi asmeena Khatun, Wd/o Late Sayyed Mohammad Mahmood Aalam, R/o Niyamatpur via Sitarampur, Near- Purana Mansi Cinema, District Burdwan, West Bengal, Pincode- 713359.
39. Bibi Tabbusum Praveen, D/o bibi Asmeena Khatun, Wife of Sayyed Md. Naeem, R/o Flate No. F- 1645, Khanpur Tikri, New Delhi- 110062
40. Bibi Firdosi Praveen, D/o Bibi Asmeena khatun, R/o Flate No. F- 1645, Khanpur Tikri, New Delhi- 110062
41. Bibi Roohi Praveen, D/o Bibi Asmeena Khatun, D/o Late Sheikh Haarun Raseed, R/o Flate No. F- 1645, Khanpur Tikri, New Delhi- 110062
42. Bibi Rubi Praveen, D/o Bibi asmeena Khatun, D/o Late Sheikh Haarun Raseed, R/o Flate No. F- 1645, Khanpur Tikri, New Delhi- 110062
43. Sheikh Mahboob Aalam, S/o Late Sheikh Sayyed Mahammad Ishaaq, R/o Mirza Tola, P.S. Bettiah, District- West Champaran.
44. Moomtaj Aalam, S/o Late Sheikh Sayyed Mahammad Ishaaq, R/o Mirza Tola, P.S. Bettiah, District- West Champaran.
45. Jaane Aalam, S/o Late Sheikh Sayyed Mahammad Ishaaq, R/o Mirza Tola, P.S. Bettiah, District- West Champaran.
46. Razia Tubassum Daughter of Late Md. Shoaib, Wife of Late Mustakin, Resident of Ganj No. 1, soni School Campus, Ilaram Chowk, Pais Tola, ganj No. 1, Ward No. 16, P.S. Bettiah, Post- Bettiah, District West Champaran.
47. Sabiha Akhtar, Daughter of Late Md. Shoaib, Wife of Faiyyaz Akhtar, Resident of Ganj No. 1, soni School Campus, Ilaram Chowk, Pais Tola, ganj No. 1, Ward No. 16, P.S. Bettiah, Post- Bettiah, District West Champaran.
48. Shabana Tubassum, Daughter of Late Md. Shoaib, Wife of Wasi Ahmad, Resident of Ganj No. 1, soni School Campus, Ilaram Chowk, Pais Tola, ganj No. 1, Ward No. 16, P.S. Bettiah, Post- Bettiah, District West Champaran.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Tushar Anand, Advocate
For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 20-04-2026

Heard learned counsel for the appellants.





2. Perused the office notes dated 18.04.2026.

3. The suit from which the instant appeal has been preferred is valued at Rs. 2,60,000/-. In view of the change in the pecuniary jurisdiction as a result of amendment in Section 21 of the Bengal, Agra and Assam Civil Courts (Bihar Amendment) Act, 2013, appeal from suits up to the value of Rs. 10 lakhs would lie before the learned District Judge.

4. In view of the above, learned counsel for the Appellants seeks permission to withdraw the appeal to move before the learned District Judge.

5. The appeal stands disposed of as withdrawn with liberty to the appellants to move before the learned District Judge concerned within a period of four weeks from today along with the limitation petition.

6. The learned District Judge will take into consideration the filing and pendency of the appeal in this Court in deciding the limitation petition in accordance with law.

(Rudra Prakash Mishra, J)

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