

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(C) No. 2271 of 2018

Jayendra Nath Shahdeo
@ Joyendra Nath Shahdeo
& Others

... **Petitioners**

-versus-

Dhurbendra Nath Shahdeo & Others

... **Respondents**

CORAM : SRI ANANDA SEN, J.

For the Petitioners : Mr. Vipul Poddar, Advocate

For the Respondent : Ms. Moushmi Chatterjee, AC to SC VII

4/ 05.07.2023 Heard learned counsel for the petitioners. He submits that the petition under Order 1 Rule 10 of the Code of Civil Procedure filed by the respondents Nos.1 to 15 has been wrongly allowed in favour of the proposed intervenor, which is absolutely bad. As per him, the petitioners being plaintiff, have not sought any relief against these proposed intervenors, which is apparent from the plaint itself. The relief which the petitioners have sought is against defendants Nos.1 to 9.

Considering his submissions, issue notice to the respondents Nos.1 to 15 by ordinary process. The petitioner is also given liberty to serve notice personally upon the respondents, through their counsel before the Court below, as the Title Suit Case No. 20 of 2005 is pending before the Court below. Requisites/Talwana for service of notice personally and through ordinary process be filed within two weeks.

If notice is served personally by the petitioners on the counsel for the respondents before the Court below, the same will be deemed to be valid service of notice. After serving the notice through counsel for the respondents, petitioner shall file an affidavit to that effect before this Court.

List this case immediately after service of notice before an appropriate Bench having roster.

(Ananda Sen, J.)