

IN THE HIGH COURT OF JHARKHAND AT RANCHI

Second Appeal No. 142 of 2020

Radhe Shyam Sharma and another **Appellants**

Versus

Masomat Shobha Jaiswal and others ... Respondents

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CORAM :HON'BLE MRS. JUSTICE ANUBHA RAWAT CHOUDHARY

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For the Appellants : Mr. Sandeep Verma, Advocate

For the Resp. No. 4 : Mr. Shubham Sinha, Advocate

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10/18.02.2025 Heard the learned counsel appearing on behalf of the appellants.

2. This appeal is admitted for final hearing on the following substantial questions of law:-

- (i) Whether finding of the learned courts are perverse in as much as finding of the learned Trial Court that suit is barred by law of limitation has not been reversed or set aside by the first appellate Court while allowing the appeal filed by the plaintiffs?
- (ii) Whether in view of admission of plaintiffs in plaint that till 15.01.1966 there was jointness in the family of Jagtendra Prasad Jaiswal, registered deed of sale dated 07.02.1950 executed by Raghunandan Pd. Bhagat, grandfather of plaintiffs could have been declared a void document?
- (iii) Whether the learned courts were legally justified to enter into the legality and validity of the registered sale deed

dated 07.02.1950 which was not specifically challenged by the plaintiffs in the prayer of the suit?

3. Respondent no. 4 has already entered appearance through caveat no. 189 of 2022, so no notice need be issued so far as respondent no. 4 is concerned.
4. Let notice be issued to the respondent nos. 1 to 3, 5 to 9 for which requisites etc. under ordinary process be filed within a period of one week.
5. The records be called for from the concerned courts.
6. Post this case under appropriate heading on 30.04.2025.
7. Let this order be communicated to the concerned court through FAX.

(Anubha Rawat Choudhary, J.)