

IN THE HIGH COURT OF JHARKHAND, RANCHI

I.A. No. 917 of 2015

In

F.A. No.23 of 2015

Hari Prasad Agrawal, son of Late Raghunandan Pd. Agrawal, by Caste-Agrawal, by Faith-Hindu, by occupation -cultivator, Resident of – Village Japla Dharhara, P.O. Japla, P.S. Hussainabad, District -Palamau.

..... **Plaintiff/Appellant**

-- Versus --

1.Sanjay Chaudhary,

2.Bijay Choudhary

Both (1 and 2 above)-By Caste-Kurmi, by occupation-Service, Village-Bhurkhunda, P.O. Bhurkhunda, P.S. Bhurkhunda, wrongly mentioned in the sale deed -Resident of Village Hussainabad, P.O. Japla, P.S. Hussainabad, District Palamau.

3.Rajendra Singh, son of Late Bindeshwar singh

4.Braj Kishore Singh, son of Late Jay Singh

5.Ram Baram Singh, son of Late Dhamukh Singh,

6.Vijendra Singh, son of Late Jay Singh,

7.Lallan Singh, son of Late Muneshwar Singh,

All (above 3 to 7) Resident of Village, Kurmipur, P.O.Hussainabad, P.S. Hussainabad, District Palamau.

8.Baijnath Singh, Advocate, son of Late Ram Jatan Singh, Village-Teta, P.O. Kushanarayanpur, P.S. Hussainabad, District Palamau, presently residing at Mohalla Hamidganj, P.O. And P.S. Daltonganj, District Palamau;

9.Lallu Yadav, son of Birju Yadav;

10.Rajesh Yadav, son of Kapil Yadav,

11.Laljee Yadav, son of Ramdeo Yadav,

All (9to11 above) Resident of Village Itbandh, P.O. Hussainabad , P.S. Hussainabad, District Palamau.

12.Jagarnath Yadav, son of Kameshwar Yadav,

13.Lallu Ram, son of Ram Chandra Dusad.

Both (12 and 13 above), Resident of Village Patra, P.o. Hussainabad P.S. Hussainabad, District Palamau.

14.Rajesh Yadav, son of Kail Yadav; Resident of village, Itbandh, P.O. And P.S. Hussainabad District Palamau

15.Mahendra Yadav, son of Shiv Yadav, Resident of Village Jamua, P.O. Hussainabad, P.S. Hussainabad, District Palamau.

16.Kapil Deo Yadav, son of Bhagwat Yadav, Resident of Village Patra, P.O. Hussainabad, P.S. Hussainabad, District Palamau.

17.Bindeshwar Yadav, son of Bhagwat Yadav, Resident of Village Patrakala, P.O. Hussainabad, P.S. Hussainabad, District Palamau.

18.Nagendra Singh, son of Late Muneshwar Singh, Resident of Village Kurmipur, P.O. Hussainabad P.S. Hussainabad, District Palamau.

19.Satyendra Singh, son of Late Dharmdeo Singh, Resident of Village Majuraha, P.O. Hussainabad, P.S. Hussainabad, District Palamau.

20.Kamakhya Singh, son of Nanku Singh, Resident of Village Teta P.O.Hussainabad P.S. Hussainabad, District Palamau.

21.Ashok Kr. Singh, son of Bindeshwari Singh, Resident of Village Gopal Chamkar, P.O. + P.S. Hussainabad, District Palamau

22.Arbind Kr. Singh, son of Awadhesh Pd. Singh, Resident of Village Teta, P.O. + P.S. Hussainabad, District Palamau

23.Rajiv Ranjan Singh,

24.Priya Ranjan Singh,

25.Avinash Kr. Singh,

26.Ramjit Kr. Singh,

27.Somjit Kr. Singh;

All (23 to 27) -son of Awadhesh Pd. Singh, Resident of Village

Teta, P.O. + P.S. Hussainabad District Palamau.
28.Krishna Kr. Paswan, son of Dharmdeo, Resident of Village Dadra Dangwar, P.O. + P.S. Hussainabad, District Palamau,
29.Nawal Kishore Singh, son of Late Ram Naresh Singh, Resident of Village Kurmi pur P.O. Hussainabad, P.O. Hussainabad, District Palamau,
30.Parsuram Singh, son of Late Bhaju Singh, Resident of Village Kurmipur, P.O Hussainabad, P.S. Hussainabad, District Palamau,
31.Satyendra Narayan Singh, son of Mangal Singh, Resident of Village Gopal Chamkar, P.O. Hussainabad P.S. Hussainabad, District Palamau,
32.Brij Deo Singh, son of Late Jageshwar Singh, Resident of Village Sinduria, P.O. Hussainabad, P.S. Hussainabad, District Palamau,
33.Ram Rekha Singh, son of Late Ramdheni, Resident of Village Koshi, P.O. Hussainabad, P.S. Hussainabad, District Palamau
34.Krishna Ram, son of Suraj Deo Ram, Resident of Village Koshi, P.O. Hussainabad, P.O. Hussainabad, District Palamau,
35.Parsuram Singh, son of Late Manju Singh, Resident of Village, Kurmipur, P.O. Hussainabad, P.S. Hussainabad, District Palamau.

.....*Defendants/Respondents.*

CORAM :- HON'BLE MR. JUSTICE P.P. BHATT

For the Appellant :-M/s V. Shivnath, Sr.Adv., Amar Nath Gupta, Adv.
For the Respondents :-Mr.

03/ 02.03.2015 The present First Appeal is preferred being aggrieved and dissatisfied with the judgment dated 13.01.2015 and Decree signed on 23.01.2015 by the learned Sr. Civil Judge-II, Palamau at Daltonganj dismissing the suit of the plaintiffs being Title Suit No.21 of 2005. The present First Appeal is preferred on the various grounds and reliefs as enumerated in the appeal memo, which requires consideration, and therefore, the instant First Appeal is ordered to be Admitted.

Call for the Lower Court Records.

Issue notice upon the respondents, by ordinary process, for which requisites, must be filed, by tomorrow (i.e. 03.03.2015).

I.A. No. 917 of 2015 in F.A. No.23 of 2015

The present application is filed under Order 39 Rule 1 & 2 of the Code of Civil Procedure, inter alia, praying for restraining the respondents from dispossessing the plaintiff-appellant (original plaintiff).

Issue urgent show cause notice to the respondents, by registered post with A/D, for which requisites etc., must be filed by tomorrow (i.e.03.03.2015).

Notice is made returnable on 24.3.2015.

Put up this case on 24th March, 2015.

(P.P. Bhatt, J.)

SI/-