

IN THE HIGH COURT OF JHARKHAND, RANCHI

Civil Review No.57 of 2023

Md. Tasir Ali Ansari, aged about 68 years, son of Late Abdul Sattar, resident of Village Fakirdih (Karmatand), PO and PS Govindpur, District -Dhanbad Appellant/Petitioner

-- Versus --

1. Saira Bibi, widow of late Hafizuddin Ansari
- 2 Sohrab Ansari,
- 3.Patal Ansari, both sons of late Hafizuddin Ansari
- 4.Thandi Bibi daughter of late Jabbar and wife of Majid Ansari
1 to 4 are residents of Village Jungalpur, PO Jungalpur, PS govindpur District Dhanbad
- 5.Aalti Bibi (widow) wife of Samsuddin Ansari
- 6.Nasir Ansari
- 7.Hasim Ansari
- 8.Manjoor Ansari
- 9.Farhad Ansari
- 10.Hatim Ansari, Res. No.6 to 10 all are sons of deceased SARfuddin Ansari, All residents of Village Fakirdih, PO and PS Govindpur, District Dhanbad
- 11.Basiran @ Guddi Bibi, wife of Islam Ansari and D/o late Samsuddin Ansari resident of Village Murradih, PO Kalyanpur PS Barwadda, Dist. Dhanbad.
- 12.Hazra Bibi, wife of late Ishaque Ansari
- 13.Yusuf Ansari
- 14.Alam Ansari, both sons of late Ishaque Ansari, 5 to 8 are residents of Village Fakirdih, PO and PS Govindpur, District Dhanbad
- 15.Basiran Bibi, wife of Mazid and daughter of late Ishaque Ansari, resident of Village Galdahra, PO and PS Govindpur District Dhanbad
- 16.Asiran Bibi, wife of Imran Ansari daughter of late Ishaque Ansari, resident of Village Jungalpur, Karbaladih, PO and PS Govindpur, District Dhanbad
- 17.Shakila Bibi, wife of Ibrar Ansari and daughter of late Ishaque Ansari, resident of Village Jangalpur, PO and PS Govindpug, District Dhanbad
- 18.Irdish Ansari
- 19.Muslim Ansari
- 20.Suleman Ansari, 12 to 14 are sons of late Jagu Ansari
- 21.Khairun Bibi, daughter of late Jagu Ansari,
12 to 15 are residents of Barawatand, PO and PS Govindpur, District Dhanbad
22. Rasulan Bibi, daughter of Late Ilahi Mian and wife of

Chhotan Mian.

resident of Patehpur, PO: Ambona, PS: Nirsa, District-
Dhanbad

23. Rahila Bibi, widow of Late Abdul Hamid, resident of Village
& PO:Urma, PS: Nirsa, District- Dhanbad

24. Quresha Bibi, wife of Mafizuddin Ansari and daughter of
Late Abdul

Hamid, resident of Village & PO: Urma, PS: Nirsa, District-
Dhanbad

25. Yahida Bibi, wife of Hasib Ansari and daughter of Late
Abdul Hamid, resident of village Jangalpur, PO- Jangalpur, PS-
Govindpur, District-Dhanbad

26. Reshma Khatoon, daughter of Late Abdul Hamid, resident
of Village& PO: Urma, PS: Nirsa, District- Dhanbad

27.Sattar Ansari (minor)

28. Minhaj Ansari (minor), both sons of Late Abdul Hamid,
both residents of Village & PO: Urma, PS: Nirsa, District-
Dhanbad [Minors are being represented by their natural
guardian mother Rahila Bibi (respondent no. 23)]

29. Rafique Ansari, son of Late Ismail Ansari,

30. Hanufa Bibi, wife of Habib Mian and daughter of Late
Ismail Ansari, both residents of Village-Fakirdih (Karmatand),
PO & PS: Govindpur, District- Dhanbad

31. Inamul Ansari, son of Late Hanif Ansari,

32. Most. Rasulan Bibi, widow of Late Mafuzuddin Ansari,

33.Aman Bibi,

34 Jubada Bibi,

35. Nuresha Bibi,

33 to 35 are daughters of Late Hafiz Ansari,

31 to 35 are residents of Village & PO: Urma, PS: Nirsa,
District- Dhanbad

36. Madina Bibi, widow of Late Insan Mian,

37:Ilyas Ansari,

32. Israj Ansari,

39. Nazrul Ansari,

40.Amzul Ansari, 37 to 40 are sons of Late Insan Mian,

36 to 40 are residents of Village- Fakirdih (Karmatand), PO &
PS: Govindpur, District- Dhanbad

41:Sabra Bibi, wife of Sahid Ansari and daughter of Late Insan
Mian, resident of Village-Bario, PO & PS: Govindpur, District-
Dhanbad

42 Khairun Bibi, wife of Jabbar Ansari and daughter of Late
Insan Mian. resident of Village-Shiopur, PO: Sarkardih, PS:
Govindpur, District-Dhanbad

43. Saimun Bibi, wife of Sabir Ansari and daughter of Late
Insan Mian, resident of Village-Murradih, PO: Murradih, PS:
Barwaddah, District-Dhanbad

- 44: Memon Bibi, wife of Nur Mahamedand and daughter of Late Insan Mian, resident of Village- Fakirdih, PO & PS: Govindpur, District-Dhanbad
45. Hasina Bibi, wife of Mukhtar Ansari and daughter of Late Insan Mian, resident of Village-Bario, PO & PS: Govindpur, District- Dhanbad
- 46.Md. Idrish Ansari,
47. Md. Ibrahim Ansari, both sons of Late Habibul Rahman Ansari, both residents of Village-Fakirdih (Karmatand), PO & PS: Govindpur, District- Dhanbad
48. Usuf Ansari, son of Late Md. Azad, resident of Village-Fakirdih (Karmatand), PO & PS: Govindpur, District- Dhanbad
49. Ayesa Bibi, wife of Siddique and daughter of Late Habibul Rahman Ansari, resident of Village-Fakirdih (Karmatand), PO & PS: Govindpur, District-Dhanbad
50. Khairnnisa Bibi, wife of Md. Rashid and daughter of Late Habibul Rahman Ansari, Village- Fakirdih (Karmatand), PO & PS: Govindpur, District- Dhanbad
- 51 Sitara Khatoon, wife of Md. Nasim and daughter of Late Habibul Rahaman Ansari, resident of Village-Fakirdih (Karmatand), PO & PS: Govindpur, District- Dhanbad
52. Jagu Mian,
- 53 Rajak Ansari, both sons of Buddhan Mian, both residents of Village & PO: Bhitia, PS: Govindpur, District-Dhanbad
54. Jamila Khatoon, wife of Hanif Mian and daughter of Late Budhan Mian, resident of Village- Nawatand, PO & PS: Govindpur, District-Dhanbad
- 55.Musun Khatoon, wife of Unus Ansari and daughter of Late Budhan Mian, resident of Village-Sherpur, PO: Sarkardih, PS: Govindpur, District- Dhanbad
56. Saimoon Khatoon, wife of Kurban Ansari and daughter of Late Budhan Mian, resident of village-Gaidahra, PO & PS: Govindpur, District- Dhanbad
57. Futan Khatoon, daughter of Late Budhan Mian, resident of Village & PO: Bhitia, PS: Govindpur, District- Dhanbad
- Basir Mian, son of Late Fazil Mian.
58. Basir Mian son of late Fazil Mian
- 59.Asiruddin Ansari,
- 60 Rafique Ansari,
- 61 Siddique Ansari,
- 62 Mustakim Ansari,
63. Sanaul Ansari, 59 to 63 are sons of Basir Mian, 58 to 63 are residents of Village Matiala, PO: Jangalpur, PS: Govindpur, District- Dhanbad
- 64 Hamidan Bibi, wife of Samsual Ansari,
- 65.Sitara Bibi, wife of Gafur Ansari, both residents of Village &

- PO: Jangalpur, PS: Govindpur, District- Dhanbad
66. Anisa Bibi, wife of Hafiz Ansari, resident of Village- Rangamatia, PO & PS: Nirsa, District- Dhanbad
67. Nuresha Bibi, wife of Abdul Samad Ansari, resident of Village- Asanbani, PO Bhitia & PS: Govindpur, District- Dhanbad
68. Mina Bibi, wife of Tejuddin Mian and daughter of Late Lodu Mian, resident of Village- Fakirdih (Karmatand), PO & PS Govindpur, District- Dhanbad
69. Md. Yunus,
70. Chutan Mian, both sons of Kayamat Mian, both residents of Village-Fakirdih (Karmatand), PO & PS: Govindpur, District- Dhanbad
71. Khodeja Bibi, daughter of Abdul Sattar and wife of Kabil Mian, resident of Village- Sheopur, PO: Sarkardih, PS: Govindpur, District-Dhanbad
72. Imran Ansari (minor), son of Kalimuddin Ansari,
73. Halima Khatoon (minor), daughter of Kalimuddin Ansari,
74. Mushima Khatoon (minor), daughter of Kalimuddin Ansari,
- 72 to 74-minors are being represented by their natural guardian father Kalimuddin Ansari,
- 72 to 74 are residents of Village Asanbani, PO & PS: Govindpur, District-Dhanbad
75. Kalimuddin Ansari, son of Maksud Ansari, resident of Village-Asanbani, PO & PS: Govindpur, District- Dhanbad
76. Md. Piru,
77. Md. Tahir, both sons of Late Ganouri, both residents of Village-Fakirdih (Karmatand), PO & PS: Govindpur, District- Dhanbad
78. Hussain Ansari, son of Late Kabir Mian,
79. Khurshid Ansari, son of Late Fazil Mian, both residents of Village-Fakirdih (Karmatand), PO & PS: Govindpur, District- Dhanbad
80. Tahuron Bibi, wife of Hamid Ansari, resident of Village Bagsuma, PO & PS: Govindpur, District- Dhanbad
81. Sahudan Bibi, wife of Ishaque Ansari, resident of Village- Asanbani, PO & PS: Govindpur, District-Dhanbad
82. Lal Banu Bibi, widow of Late Insan Mian, resident of Village-Barwa Basti, PO: Barwa, PS: Govindpur, District- Dhanbad
83. Sajiban Bibi, wife of Nijam Ansari, resident of Barwa East, Rangdih, PO: Barwa, PS: Govindpur, District- Dhanbad
84. Saira Bibi, widow of Late Kabil Mian,
85. Rasidan Bibi, widow of late Ayub Ansari and daughter of late Kabil Mian
86. Ayesha Khatoon, daughter of late Kabil Mian 78 to 80 are residents of Vill Sheopur, PO Sarkardih, PS Govindpur,

Dist.Dhanbasd

87.Abjun Bibi widow of late Fizuddin Ansari

88 Munna Ansari, son of Late Mafizuddin Ansari, both residents of Village- Sheopur, PO: Sarkardih, PS: Govindpur, District- Dhanbad

89. Ishaque Ansari,

90. Hasimuddin Ansari, both sons of Pahalan Mian, residents of Village-Asanbani, PO & PS: Govindpur, District- Dhanbad

91. Prof. M. H. Khan, son of not known to the appellant, resident of R. S. More College, Govindpur, PO & PS: Govindpur, District- Dhanbad

92. Smt. Gayatri Devi, wife of Barundeo Singh,

93. Rajkumar Rajak, son of Ram Sundar Rajak,

94.Smt. Usha Devi, wife of Om Prakash Keshri,

92 to 94 are residents of B.M.P. Govindpur, PO & PS: Govindpur, District- Dhanbad

95. Rauf Ansari, son of Md. Yunus,

96. Munni Bibi, wife of Ramjan Mian,

97 Fakira Ansari, son of Late Khusa Ansari,

95 to 97 are residents of Village- Fakirdih (Karmatand), PO & PS: Govindpur, District- Dhanbad

98. Surjit Singh,

93. Rajendra Singh,

100. Manjit Singh,

98 to 100 are sons of Sardar Mahendra Singh, residents of Manaitand, PS: Dhansar, District- Dhanbad

..... Respondents/Opposite Parties

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioner(s) :- Mr. A.K. Sahani, Advocate

For the Opp. Parties :-

6/20.03.2026

There is delay of 101 days in filing the instant Civil

Review Petition.

2. I.A. No.15224 of 2025 has been filed for condonation of delay.

3. For the reasons assigned in the instant I.A., the aforesaid delay is hereby condoned.

4. The instant I.A filed for condonation of delay is allowed and disposed of.

5. This Civil Review petition has been filed for review of the judgment dated 01.03.2023 passed by this Court in S.A. No.122 of 2014.

6. Mr. A.K. Sahani, the learned counsel appearing for the petitioner submits that certain aspect has not been considered by this Court in the Second Appeal and in view of that review petition has been filed. He next submits that the learned first appellate court has decided the issue no.9 in its correct perspective which is unity of title and in view of that, this review petition has been filed and that may kindly be allowed.

7. The Second Appeal has been decided by this Court by the judgment dated 01.03.2023 and while deciding the said second appeal, this Court has found that there is no perversity shown in the judgment of the learned trial court dated 31.05.2005 as well as the judgment of the learned appellate court in Title Appeal No.103 of 2005 dated 20.05.2014.

8. The argument of the learned counsel for the petitioner with regard to issue no.9 appears to be a misconceived one. Both the learned courts have answered the same in its correct perspective and that has been considered by this Court in the second appeal. The learned appellate court has also framed point no.(2) whether there exist unity of title and possession among the

party with respect to the suit property or not? It has considered the exhibits as well as the evidence of PWs and DWs and the learned court after that, has been pleased to held that it is well settled that the evidence of inter-se transaction of the suit property between the co-sharers is a very strong proof with regard to previous partition, and therefore, the learned appellate court has held that the finding of the learned trial court with regard to no unity and possession among the parties with regard to the suit property was found to be quite correct. There are concurrent finding of learned two courts and that aspect has been considered by this Court in the second appeal. The argument of the learned counsel for the petitioner for review of the said judgment is misconceived one. There is no error, either in the finding of the learned trial court as well as the learned first appellate court as well as this Court in the second appeal. As such, this review petition being Civil Review No.57 of 2023 is, hereby, dismissed.

(Sanjay Kumar Dwivedi, J.)

Dated : 20.03.2026

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