

IN THE HIGH COURT OF JHARKHAND AT RANCHI**C.M.P. No. 1213 of 2025**

Pushpa Devi, Wife of Rajendra Prasad Yadav, aged about 49 years, Resident of Panchayat Madhawadih Block Bengabad, Jambad (Chamgadda), P.O. Maheshmunda, P.S. Bengabad, District Giridih at present residents of Makatpur Mohalla, Barganda, P.S. Giridih (Town), District Giridih (Jharkhand)**Defendant No.1/Petitioner(s)**

Vrs.

1. Arpana Devi, W/o Ashok Kumar, aged about 61 years;
2. Paritosh Kumar, S/o Pradeep Kumar
3. Prem Nandan Kumar, S/o Pradeep Kumar All R/o Mauza Maketpur, Mohalla Power House Road, Barganda, P.O. & P.S. Giridih (Town), District - Giridih, (Jharkhand).**Plaintiffs/Opposite Party(s)**
4. Kajal Kumari D/o Rajendra Prasad Yadav aged 26 years Both resident of village, Chamgadda, Jambad, P.O. Mashesh Munda, P.S. Bengabad, District- Giridih at present residents of Makatpur Mohalla, Barganda, P.S. Giridih (Town), District- Giridih (Jharkhand).
5. Ratna Chaterjee W/o Amitabha Chaterjee and D/o Sailndar Kumar Laheri, R/o 33-A Mclead Street under Park Street Kolkata 700017 (West Bengal), P.O. Mclead Street, Part Street area, P.S. Park Street Police Station, District – Kolkata **Defendant No. 2 & 3/ Performa opposite Party(s)**

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CORAM: HON'BLE MR. JUSTICE RAJESH KUMAR

For the Petitioner(s) : Mr. H.K. Mehta, Advocate
Mrs. Manjushri Patra, Advocate
Mr. Vidhan Kr. Singh, Advocate

For the O.P.(s) :

02/19.01.2026 The present writ petition has been filed for the following relief(s):

“For setting aside the order dated 04.09.2025 passed, in Miscellaneous Civil Application No. 106 of 2024 arising out of Original Suit No. 47 of 2021, filed by Pushpa Devi i.e, the Defendant No.1/ Present Petitioner under Order VII Rule XI of the Code of Civil Procedure, which has been rejected and the cost of Rs. 2000/- imposed against the Defendant No.1/Present Petitioner”

2. It appears that the suit has been filed by the private respondents being O.S. No. 47 of 2021 on 18.03.2021 with following relief:

I. That, on adjudication the plaintiffs right, title and interest over the suit land be declared.

II. That the possession of the plaintiffs over the suit land be recovered to them from evicting the defendants there from and

also from unlocking the door of the suit land through the process of the court.

III. That the cost of the suit be awarded to the plaintiffs.

IV. That the any other relief or reliefs to which the plaintiffs be found entitled in law in and equity be given to them.

3. Thereafter the present petitioner has filed petition under Order 7 Rule XI of the Code of Civil Procedure for rejection of the plaint. That application has been rejected vide order dated 04.09.2025 and similar petitions under Order 7 Rule XI of the C.P.C of the defendant no.1 were rejected vide order dated 22.12.2022 in M.C.A. No. 73 of 2022 and M.C.A. No. 79 of 2022.

4. It appears that thereafter the Plaintiff has filed a petition for amendment of plaint under Order 6 Rule XVII of the Civil Procedure Code on 24.02.2023 whereby some addition in the prayer has been made.

5. On the strength of amendment, again a petition under Order 7 Rule XI has been filed for rejection of the plaint.

6. It is settled principle of law that where there are several prayers in the plaint, merely because one or the other prayer is not maintainable, on that ground, the entire suit cannot be rejected.

7. In that view of the matter, I find no reason to entertain the present C.M.P. The present writ petition is accordingly, dismissed.

8. However, parties are at liberty to raise the relevant issue in the pending proceeding.

(Rajesh Kumar, J.)

19.01.2026
A. Mohanty
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____/____/2026