

IN THE HIGH COURT OF JUDICATURE AT PATNA
FIRST APPEAL No.82 of 2011

- 1.1. Lalita Devi W/o Nageshwar Pd. Singh, Resident of Rampur Pratappur, P.O. - Pratappur, P.S. - Awatar Nagar, District- Saran. Presently residing at Emergency Colony, Katihar, Quarter No. T-272, Post - Katihar, P.S. - katihar, District- Katihar, Bihar.
- 1.2. Ashok Kumar Singh Son of Late Nageshwar Pd. Singh, Resident of Rampur Pratappur, P.O. - Pratappur, P.S. - Awatar Nagar, District- Saran. Presently residing at Emergency Colony, Katihar, Quarter No. T-272, Post - Katihar, P.S. - katihar, District- Katihar, Bihar.
- 1.3. Manoj Kumar Singh Son of Late nageshwar Pd. Singh, Resident of Rampur Pratappur, P.O. - Pratappur, P.S. - Awatar Nagar, District- Saran. Presently residing at Emergency Colony, Katihar, Quarter No. T-272, Post - Katihar, P.S. - katihar, District- Katihar, Bihar.
- 1.4. Sanjay Kumar Singh Son of late Nageshwar Pd. Singh, Resident of Rampur Pratappur, P.O. - Pratappur, P.S. - Awatar Nagar, District- Saran. Presently residing at Emergency Colony, Katihar, Quarter No. T-272, Post - Katihar, P.S. - katihar, District- Katihar, Bihar.
- 1.5. Santosh Kumar Singh Son of late Nageshwar Pd. Singh, Resident of Rampur Pratappur, P.O. - Pratappur, P.S. - Awatar Nagar, District- Saran. Presently residing at Emergency Colony, Katihar, Quarter No. T-272, Post - Katihar, P.S. - katihar, District- Katihar, Bihar.
2. Baleshwar Singh S/o Late Rajendra Pd. Singh, resident of Village Rampur Pratappur, P.S.-Awatar Nagar, District-Saran, presently residing at Emergency Colony, Katihar, Quarter No. T-272, Post-Katihar, P.S.-Katihar, District-Katihar, Bihar.
3. Mosamat Munni Devi, W/o Late Nand Kishore Singh, resident of Village Rampur Pratappur, P.S.-Awatar Nagar, District-Saran, presently residing at Emergency Colony, Katihar, Quarter No. T-272, Post-Katihar, P.S.-Katihar, District-Katihar, Bihar.
4. Vikash Kumar Singh, son of Late Nand Kishore Singh, by professions Agriculturists. resident of Village Rampur Pratappur, P.S.-Awatar Nagar, District-Saran, presently residing at Emergency Colony, Katihar, Quarter No. T-272, Post-Katihar, P.S.-Katihar, District-Katihar, Bihar.
5. Subash Kumar Singh, son of Late Nand Kishore Singh, by professions Agriculturists. resident of Village Rampur Pratappur, P.S.-Awatar Nagar, District-Saran, presently residing at Emergency Colony, Katihar, Quarter No. T-272, Post-Katihar, P.S.-Katihar, District-Katihar, Bihar.
6. Amit Kumar Singh, son of Late Nand Kishore Singh, by professions Agriculturists. resident of Village Rampur Pratappur, P.S.-Awatar Nagar, District-Saran, presently residing at Emergency Colony, Katihar, Quarter No. T-272, Post-Katihar, P.S.-Katihar, District-Katihar, Bihar.
7. Ajit Kumar Singh, son of Late Nand Kishore Singh, by professions Agriculturists. resident of Village Rampur Pratappur, P.S.-Awatar Nagar, District-Saran, presently residing at Emergency Colony, Katihar, Quarter No. T-272, Post-Katihar, P.S.-Katihar, District-Katihar, Bihar.



... .. Appellant/s

Versus

1. Jugal Kishor Singh son of Late Raghunandan Pd. Singh, Resident of Rampur Pratappur, P.O. - Pratappur, P.S. - Awatar nagar, District- Saran. Presently residing at Barmasia, P.N.T. Colony, P.O. - Katihar, P.S. - Katihar, District- Katihar.
2. Bimal Kishore Singh, son of Late Raghunandan Pd. Singh, Resident of Rampur Pratappur, P.O. - Pratappur, P.S. - Awatar nagar, District- Saran. Presently residing at Barmasia, P.N.T. Colony, P.O. - Katihar, P.S. - Katihar, District- Katihar.
3. Most. Meena Singh, W/o Late Braj Kishore Singh, Resident of Rampur Pratappur, P.O. - Pratappur, P.S. - Awatar nagar, District- Saran. Presently residing at Barmasia, P.N.T. Colony, P.O. - Katihar, P.S. - Katihar, District- Katihar.
4. Kumari Sunita Singh, Daughter of Late Braj Kishore Singh, Resident of Rampur Pratappur, P.O. - Pratappur, P.S. - Awatar nagar, District- Saran. Presently residing at Barmasia, P.N.T. Colony, P.O. - Katihar, P.S. - Katihar, District- Katihar.
5. Kumari Sangeeta Singh Daughter of Late Braj Kishore Singh, Resident of Rampur Pratappur, P.O. - Pratappur, P.S. - Awatar nagar, District- Saran. Presently residing at Barmasia, P.N.T. Colony, P.O. - Katihar, P.S. - Katihar, District- Katihar.
6. Guddi Kumari, Daughter of Late Braj Kishore Singh, Resident of Rampur Pratappur, P.O. - Pratappur, P.S. - Awatar nagar, District- Saran. Presently residing at Barmasia, P.N.T. Colony, P.O. - Katihar, P.S. - Katihar, District- Katihar.
7. Juli Kumari, Daughter of Late Braj Kishore Singh, Resident of Rampur Pratappur, P.O. - Pratappur, P.S. - Awatar nagar, District- Saran. Presently residing at Barmasia, P.N.T. Colony, P.O. - Katihar, P.S. - Katihar, District- Katihar.
8. Subham Singh (Minor) Daughter of Late Braj Kishore Singh, Through natural guardian Mosamat Meena Singh. Resident of Rampur Pratappur, P.O. - Pratappur, P.S. - Awatar nagar, District- Saran. Presently residing at Barmasia, P.N.T. Colony, P.O. - Katihar, P.S. - Katihar, District- Katihar.
9. Gyaneshwar Prasad Singh, son of Late Raghunandan Prasad Singh, resident of Rampur Pratappur, P.O.-Pratappur, P.S.-Awatar Nagar, District-Saran. presently residing at Barmasia, P.N.T. Colony, P.O.-Katihar, P.S.-Katihar, District-Katihar.
10. Ajay Kumar Singh, son of Late Raghunandan Prasad Singh, resident of Rampur Pratappur, P.O.-Pratappur, P.S.-Awatar Nagar, District-Saran. presently residing at Barmasia, P.N.T. Colony, P.O.-Katihar, P.S.-Katihar, District-Katihar.
11. Abhay Kumar Singh @ Mukul, son of Late Raghunandan Prasad Singh, resident of Rampur Pratappur, P.O.-Pratappur, P.S.-Awatar Nagar, District-Saran. presently residing at Barmasia, P.N.T. Colony, P.O.-Katihar, P.S.-Katihar, District-Katihar.



12. Smt. Puspa Rani W/o Sohan Prasad, resident of Barmasia P.N.T. Colony, Mirchaibari, P.S. Katihar, Dist.-Katihar.
13. Sri Brajnandan Sharma, S/o Sakhichand Sharma, resident of Barmasia P.N.T. Colony, Mirchaibari, P.S. Katihar, Dist.-Katihar.
14. Smt. Asha Devi, W/o Prem Kumar Sharma, resident of Barmasia P.N.T. Colony, Mirchaibari, P.S. Katihar, Dist.-Katihar.
15. Smt. Meena Kumari Singh W/o Braj Kishore Singh, resident of Barmasia P.N.T. Colony, Mirchaibari, P.S. Katihar, Dist.-Katihar.
16. Seema Devi, W/o Gyaneshwar Prasad Singh, resident of Barmasia P.N.T. Colony, Mirchaibari, P.S. Katihar, Dist.-Katihar.
17. Smt. Mala Rani Singh, W/o Chandranand Singh, Resident of Mirchaibari Katihar, P.S.-Katihar, District-Katihar.
18. Smt. Indrasana Devi, w/o Sukhdeo Rai, Resident of Mirchaibari, P.S.-Katihar, District-Katihar.
19. Sri Binod Kumar Singh, Son of Trilokinath Singh, resident of Barmasia, Near Jagarnath Mandir, P.S.-Katihar, District-Katihar.
20. Sri Premnath Singh, son of Trilokinath Singh, resident of Barmasia, Near Jagarnath Mandir, P.S.-Katihar, District-Katihar.
21. Smt. Kalpana Devi, Wife of Girish Mandal, Resident of New Railway Colony, P.S.and Dist. Katihar, at present resident of Lohia Nagar, Barmasia, P.S.and Dist.-Katihar.
22. Smt. Sita Devi, Wife of Dhaneshwar Prasad Singh, Resident of Barmasia, Near Scotish School, P.S. and District-Katihar.
23. Smt. Saroj Singh, w/o Binod Kumar Singh, Resident of Mirchaibari Near Jagarnath Mandir, P.S. and District Katihar.
24. Premnath Singh, son of Trilokinath Singh, Resident of Mirchaibari Near Jagarnath Mandir, P.S. and District Katihar.
25. Bir Bahadur Singh, S/o Late Akalu Singh and husband of Late Shanti Devi, resident of Village-Nawada Repura, P.S. and Anchal-Rivilganj, P.O. Mukrera, Distt-Saran at Chhapra.
26. Sachidanand Singh, S/o Bir Bahadur Singh, resident of Village-Nawada Repura, P.S. and Anchal-Rivilganj, P.O. Mukrera, Distt-Saran at Chhapra.
27. Sarbanand Singh, S/o Bir Bahadur Singh, Resident of Vrindavan Colony, Kashi Bazar, Bhagwan Bazar, PO and PS-Chhapra, Distt-Saran.

... .. Respondent/s

with

Miscellaneous Jurisdiction Case No. 1998 of 2025

In

FIRST APPEAL No.82 of 2011

1. Ashok Kumar Singh son of Late Nageshwar Prasad Singh R/o Village Rampur, Pratappur, P.S Awtar Nagar, Dist-Saran, presently residing at Hardev Singh Path, Jagganath Puri, Barmasia, P.O Katihar, Dist- Katihar,



Bihar

2. Manoj Kumar Singh son of Late Nageshwar Prasad Singh R/o Village Rampur, Pratappur, P.S Awtar Nagar, Dist-Saran, presently residing at Hardev Singh Path, Jagganath Puri, Barmasia, P.O Katihar, Dist- Katihar, Bihar
3. Sanjay Kumar Singh son of Late Nageshwar Prasad Singh R/o Village Rampur, Pratappur, P.S Awtar Nagar, Dist-Saran, presently residing at Hardev Singh Path, Jagganath Puri, Barmasia, P.O Katihar, Dist- Katihar, Bihar
4. Santosh Kumar Singh son of Late Nageshwar Prasad Singh R/o Village Rampur, Pratappur, P.S Awtar Nagar, Dist-Saran, presently residing at Hardev Singh Path, Jagganath Puri, Barmasia, P.O Katihar, Dist- Katihar, Bihar
5. Most. Manju Devi @ Munni Devi Wife of Late Nand Kishore Singh R/o Village Rampur, Pratappur, P.S Awtar Nagar, Dist-Saran, presently residing at Hardev Singh Path, Jagganath Puri, Barmasia, P.O Katihar, Dist- Katihar, Bihar
6. Vikash Kumar Singh R/o Village Rampur, Pratappur, P.S Awtar Nagar, Dist-Saran, presently residing at Hardev Singh Path, Jagganath Puri, Barmasia, P.O Katihar, Dist- Katihar, Bihar
7. Subhash Kumar Singh R/o Village Rampur, Pratappur, P.S Awtar Nagar, Dist-Saran, presently residing at Hardev Singh Path, Jagganath Puri, Barmasia, P.O Katihar, Dist- Katihar, Bihar
8. Amit Kumar Singh R/o Village Rampur, Pratappur, P.S Awtar Nagar, Dist-Saran, presently residing at Hardev Singh Path, Jagganath Puri, Barmasia, P.O Katihar, Dist- Katihar, Bihar
9. Ajit Kumar Singh R/o Village Rampur, Pratappur, P.S Awtar Nagar, Dist-Saran, presently residing at Hardev Singh Path, Jagganath Puri, Barmasia, P.O Katihar, Dist- Katihar, Bihar

... .. Petitioner/s

Versus

1. Gyaneshwar Prasad Singh Son of Late Raghunandan Prasad Singh resident of Rampur, Pratappur, P.O-Paratppur, P.S- Awtar Nagar, District Saran, presently residing at Barmasia, P.N.T Colony, P.O.- Katihar, P.S.- Katihar, District Katihar, Bihar.
2. Ajay Kumar Singh Son of Late Raghunandan Prasad Singh resident of Rampur, Pratappur, P.O Paratppur, P.S Awtar Nagar, District- Saran, presently residing at Mahanth Nagar. P.O. Katihar. P.S.- Katihar, District Katihar Bihar.
3. Abhay Kumar Singh @ Mukul Son of Late Raghunandan Prasad Singh resident of Rampur, Pratappur, P.O- Paratppur, P.S- Awtar Nagar, District-Saran, presently residing at Barmasia, P.N.T Colony, P.O. Katihar, P.S. Katihar. District - Katihar, Bihar.
4. Mosamat Meena Singh Wife of Late Braj Kishore Singh resident of Rampur, Pratappur, P.O- Paratppur, P.S- Awtar Nagar, District- Saran, presently residing at Barmasia, Jagannath Puri, P.O. Katihar, P.S. Katihar, District-



Katihar, Bihar.

5. Kumari Sunita Singh Daughter of Late Braj Kishore Singh resident of Rampur, Pratappur, P.O- Paratppur, P.S- Awtar Nagar, District- Saran, presently residing at Barmasia, Jagannath Puri, P.O. Katihar, P.S. Katihar, District- Katihar, Bihar.
6. Kumari Sangeeta Singh Daughter of Late Braj Kishore Singh resident of Rampur, Pratappur, P.O- Paratppur, P.S- Awtar Nagar, District- Saran, presently residing at Barmasia, Jagannath Puri, P.O. Katihar, P.S. Katihar, District- Katihar, Bihar.
7. Guddi Kumari Daughter of Late Braj Kishore Singh resident of Rampur, Pratappur, P.O- Paratppur, P.S- Awtar Nagar, District- Saran, presently residing at Barmasia, Jagannath Puri, P.O. Katihar, P.S. Katihar, District- Katihar, Bihar.
8. Juli Kumari, Daughter of Late Braj Kishore Singh resident of Rampur, Pratappur, P.O- Paratppur, P.S- Awtar Nagar, District- Saran, presently residing at Barmasia, Jagannath Puri, P.O. Katihar, P.S. Katihar, District- Katihar, Bihar.
9. Shubham Singh Son of Late Braj Kishore Singh resident of Rampur, Pratappur, P.O- Paratppur, P.S- Awtar Nagar, District- Saran, presently residing at Barmasia, Jagannath Puri, P.O. Katihar, P.S. Katihar, District- Katihar, Bihar.
10. Mamta Devi Wife of Late Yugal Kishore Singh resident of Rampur, Pratappur, P.O- Paratppur, P.S- Awtar Nagar, District- Saran, presently residing at Barmasia, Jagannath Puri, P.O. Katihar, P.S. Katihar, District- Katihar, Bihar.
11. Nilam Singh Wife of Late Bimal Kishore Singh resident of Rampur, Pratappur, P.O- Paratppur, P.S- Awtar Nagar, District- Saran, presently residing at Barmasia, Jagannath Puri, P.O. Katihar, P.S. Katihar, District- Katihar, Bihar.
12. Binay Kumar Singh Son of Late Bimal Kishore Singh resident of Rampur, Pratappur, P.O- Paratppur, P.S- Awtar Nagar, District- Saran, presently residing at Barmasia, Jagannath Puri, P.O. Katihar, P.S. Katihar. District- Katihar, Bihar.
13. Baleshwar Prasad Singh son of Late Rajendra Prasad Singh resident of Rampur, Pratappur, P.O- Paratppur, P.S- Awtar Nagar, District- Saran, presently residing at Barmasia, Jagannath Puri, P.O. Katihar, P.S. Katihar, District- Katihar, Bihar.
14. Smt. Puspha Rani Wife of Sohan Prasad, resident of Barmasia, P.N.T colony, Mirchaibari, P.S- Katihar, District- Katihar, Bihar.
15. Sri Brajnandan Sharma Son of Sakhichand Sharma resident of Barmasia, P.N.T colony, Mirchaibari, P.S Katihar, District - Katihar, Bihar.
16. Smt. Asha Devi Wife of Prem Kumar Sharma, resident of Barmasia, P.N.T colony, Mirchaibari, P.S Katihar, District - Katihar, Bihar.
17. Smt. Mala Rani Singh Wife of Late Chandranand Singh resident of Mirchaibari, P.S- Katihar, District- Katihar, Bihar.
18. Smt. Indrasana Devi Wife of Late Sukhdev Rai, resident Mirchaibari, P.S -



Katihar, District - Katihar, Bihar.

19. Sri Binod Kumar Singh Son of Late Trilokinath Singh resident of Barmasia, Near Jagannath Puri, P.O. Katihar, P.S. Katihar, District - Katihar, Bihar.
20. Sri Premnath Singh Son of Late Trilokinath Singh resident of Barmasia, Near Jagannath Puri, P.O. Katihar, P.S. Katihar, District - Katihar, Bihar.
21. Smt. Kalpana Devi Wife of Girish Mandal resident of New Railway Colony, P.S. and District Katihar, At present resident of Lohia Nagar, Barmasia, P.S. and District - Katihar
22. Smt. Sita Devi Wife of Dhaneshwar Prasad Singh Resident of Barmasia, Near Scottish Public School, P.S. and District- Katihar.
23. Sachidanand Singh son of Late Bir Bahadur Singh resident of Gram Shyam Chak, Post- Thana Bhagwan Bajar, District- Chappra, Bihar.
24. Sarvanand Singh son of Late Bir Bahadur Singh resident of Gram Shyam Chak, Post- Thana- Bhagwan Bajar, District-Chappra, Bihar.
25. Kapil Dev Yadav son of Devi Lal Yadav resident of Mahanth Nagar, Thana Sahayak, District- Katihar.
26. Sanjay Yadav Son of Late Meghnath Yadav, resident of Barmasia, Thana Sahayak, District- Katihar.
27. Arjun Yadav Son of Late Meghnath Yadav, resident of Barmasia, Thana Sahayak, District- Katihar.
28. Pramod Yadav Son of Late Meghnath Yadav resident of Barmasia, Thana Sahayak, District- Katihar
29. Pinki Devi wife of Pramod Kumar resident of Barmasia, District- Katihar.
30. Rita Devi wife of Bhola Prasad Yadav resident of Barmasia, Thana- Shayak, District- Katihar.
31. Gita Devi wife of Anil Kumar Yadav resident of Barmasia, Thana- Shayak, District- Katihar.
32. Somendra Kumar Som son of Kapil Dev Yadav resident of Mahanth Nagar, Thana- Sahayak, District-Katihar.
33. Bajrangi Kumar Singh Son of Late Dilip Kumar Singh resident of Barmasia, Thana- Shayak, District- Katihar.
34. Pravin Kumar Singh Son of Late Dilip Kumar Singh, resident of Barmasia, Thana- Shayak, District- Katihar.
35. Arvind Kumar Son of Late Dilip Kumar Singh resident of Barmasia, Thana- Shayak, District- Katihar.
36. Shri Krishna Kumar Mandal son of Shri Baijnath Mandal, resident of Barmasia, Thana- Shayak, District- Katihar.
37. Vishnu son of Shri Baijnath Mandal, resident of Barmasia, Thana- Shayak, District- Katihar.
38. Nand Kishore Mandal son of Shri Baijnath Mandal, resident of Barmasia, Thana- Shayak, District- Katihar.
39. Rajiv Kumar Yadav son of Deep Narayan Yadav resident of Jagannath puri, Thana- Sahayak, District-Katihar.



40. Parshuram Sharma son of Late Sahdev Singh resident of Barmasia, Thana-Shayak, District- Katihar.
41. Shrimati Shakuntala Devi wife of Shri Kashinath Ray resident of Thana-Sahayak, District- Katihar.
42. Shrimati Sangita Devi wife of Shri Maheshwar Singh resident of Barmasia, Thana- Shayak, District Katihar.
43. Shrimati Poonam Singh wife of Shri Harilal Singh resident of Barmasia, Thana- Shayak, District Katihar.
44. Shrimati Anita Devi wife of Shri Pankaj Kumar Singh resident of Barmasia, Thana- Shayak, District Katihar.
45. Shrimati Munni Devi wife of Rajesh Kumar Singh resident of Barmasia, Thana- Shayak, District Katihar.
46. Deep Narayan Yadav Son of Late Kishan Prasad Yadav resident of Jagannath puri, Thana- Sahayak, District-Katihar.
47. Sanjay Kumar Mandal son of Shri Lakhan Mandal, resident of Barmasia, Thana- Shayak District- Katihar
48. Shri Ajay Kumar Mandal son of Shri Lakhan Mandal, resident of Barmasia, Thana- Shayak District- Katihar
49. Shri Vinod Yadav Son of Shri Vasudev Yadav, resident of Barmasia, Thana-Sahayak, District Katihar.
50. Pravin Kumar Singh son of Rana Pratap Singh resident of Ram Nagar Balua, Thana- Mansahi, District- Katihar.
51. Amresh Kumar Singh son of Late Jeetendra Singh, resident of Nawada, Post- Mukrera, Thana Riwilganj, District-Chappra
52. Manjit Narayan Singh son of Late Jeetendra Singh resident of Nawada, Post-Mukrera, Thana Riwilganj, District- Chappra.
53. Ranjeet Kumar son of Birendra Prasad Tanti resident of Lohiya Ngara, Barmasia, Thana Sahay, District- Katihar.
54. Renu Kumari wife of Kailash Das resident of Choti Bhainsdiyara, Post-Barari, District- Katihar.

... .. Opposite Party/s

Appearance :

(In FIRST APPEAL No. 82 of 2011)

For the Appellant/s : Mr.Hemant Kumar Sharan, Adv

For the Respondent/s : Mr.Bajarangi Lal, Adv

(In Miscellaneous Jurisdiction Case No. 1998 of 2025)

For the Petitioner/s : Mr.Madan Mohan, Adv

For the Opposite Party/s : Mr.

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

62 05-02-2026

Heard learned counsel for the appellant and learned



counsel for the opposite party.

2. On perusal of record, it appears that one interlocutory application i.e., I.A. No. 07 of 2019 has been filed but no one appears to press the I.A. No. 07 of 2019.

3. Accordingly, the I.A. No. 07 of 2019 is dismissed has not pressed.

4. List this case on 10.02.2026 for further hearing.

(Ramesh Chand Malviya, J)

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