



क्रम संख्या 1912 तिथि 10-6-2014 मूल्य 1000- सोट संख्या 1 शरीफिया P 101134
 केता का नाम एवं पता अंसूर अहमद रवीन्द्र शाह राजा बाजार समनपुरा
 दाखिल खारिज हेतु पक्षकारों सरजमान प्रसाद सरजमान प्रसाद, मुन्तासिर रिफात
 जिला पटना 1000X 12 1000
 1000

मरहूम बीबी खादजा आत्मजा युसुफ हुसैन खाँ जौजा बाहमद नबी खाँ एवं वकील अहमद
 खाँ वल्द अली अहमद खाँ निवासी ग्राम-शाहपुर, खोजपुर उर्फ रसलपुर,
 थाना-बिहारशरीफ, जिला-पटना से वज्रिये बघमोकाशा द्वारा अजित सम्पत्ति निराका
 निबन्धन अवत निबन्धन कार्यालय, बिहारशरीफ में पुस्त संख्या-1, जिल्द संख्या-67, पृष्ठ
 संख्या-84 से 89 तक पर अकिल कर वसीका संख्या-3933/1936 द्वारा हुआ था । बीबी
 खादजा अपने श्रात पुत्र यथा नामताज अहमद खाँ मशकूर खाँ, मोहसिन हुसैन खाँ एवं
 सोना खाँ अली असरफ खाँ, नसूर अहमद खाँ, अनवर अली खाँ एवं अशगर अली खाँ तथा
 चार पुत्री वजीहा खानम, बलीहा खानम, सुकिया खानम एवं फुजिया खानम का छोड़कर
 1992 में वफात कर गई ।

For Bhawani Infracon Pvt. Ltd.

Singh

Director

यह कि अन्तराल में आपसी खानगी बटवारा द्वारा तमाम हिस्सेदार फरिक्कान को उनके हिस्से की सम्बन्धित जमीन प्राप्त हुई और सरकारी लगान आदि भी सम्बन्धित फरिक्कान से प्राप्त कर लगान की रसीद निर्गत की जाने लगी और आज के तारीख में भी सम्मिलित रसीद निर्गत होते आ रहा है ।

यह कि बीबी खोदैजा के एक पुत्र मंसुर अहमद खान जो खानगी बटवारा से तथा दीवानी न्यायालय से भी अपने 1/9 हिस्से के हकदार माने गये हैं और चूंकि तमाम फरिक्कान अपने अपने हिस्से की जमीन अख्तियार कर अपने जरूरत के मुताबिक आंशिक तौर पर बेचते चले आ रहे हैं । अतः खानगी बटवारा तथा दीवानी न्यायालय द्वारा निर्गत वों तय 1/9 हिस्से के तहत निम्नलिखित खाता, खेसरा, रकबा, मौजा, थाना में अवस्थित भूमि की पैमाईश सभी पक्षकारों के समक्ष कराकर भूमि की खूँटीबन्दी करा दी है जिसका कुल रकबा लगभग 16 कटठा ही है जिसे सभी पक्षकारों ने मंसुर अहमद खान उर्फ मुनी खान द्वारा सम्बन्धित भूमि की दाखिलखारीज अपने नाम कराने हेतु अपनी अपनी सहमति बिना किसी दबाव जोर-जबरदस्ती के इस कागजात पर स्वेच्छा से हस्ताक्षर बनाकर स्वीकृति देते हैं कि मंसुर अहमद खान निम्न वर्णित भूमि का दाखिलखारीज अपने नाम से खोलवाकर सरकारी राजस्व जमा करें । तमाम फरिक्कान इस बिन्दु पर भी एकमत वों राय हैं कि निम्नलिखित भूमि जिसका विवरण नीचे दिया जा रहा है से सम्बन्धित जमाबन्दी (Mutation) मो० मंसुर अहमद खान अपने नाम सरकारी दस्तावेजों वों अभिलेखों में यथाशीघ्र दर्ज करा लें जिसपर किसी को

For Bhawani Intracon Pvt. Ltd.



Director

आपत्ति नहीं है और न भविष्य में होगी।

भूमि का विवरण वो रकवा

सर्वे थाना—फुलवारी शरीफ, प्रगना— फुलवारी शरीफ, सम्प्रति थाना— शास्त्रीनगर, जिला— पटना के थाना नं०— 10

तौजी नं० 15197 (पन्द्रह हजार एक सौ सन्तानुवे), खाता नं० क्रमश—201 (दो सौ एफ), 184 (एक सौ चौड़ासी), 147 (एक सौ सैंतालिस), 242 (दो सौ बेयालीस), 167 (एक सौ सड़सठ), एवं 201 (दो सौ एक), केडेस्ट्रल सर्वे प्लैट नं. क्रमश—61 (पार्ट) (इक्सठ पार्ट), 63 (पार्ट) तिडसठ पार्ट, 65 (पार्ट) (पैंसठ पार्ट), 66 (पार्ट) (छियासठ पार्ट), 67 (पार्ट) (सड़सठ पार्ट) एवं 68 (पार्ट) (अड़सठ पार्ट) में अवस्थित हैं, यह लेख्य सम्पति पटना नगर निगम एवं अवसर निबंधन कार्यालय पटना सदर तथा जिला निबंधन कार्यालय पटना क्षेत्रान्तर्गत अवस्थित है। जिसका वार्षिक लगान मो. 6 रुपये 70 पैसे अलावे शेष बिहार सरकार को अंचलाधिकारी पटना सदर के माध्यम से जमाबन्दी नं. 645/1 पर भुगतान किया जाता है।

जिसकी चौहदी है।

उत्तर— नीजी सभी भाई बहनों का प्लॉट

दक्षिण— वसुन्दा अपार्टमेंट

पूरब— 25 फीट सैड एवं सभी भाई बहनों का प्लॉट

पश्चिम— फ्रेंड्स कॉलोनी

For Bhawani Infracon Pvt. Ltd.

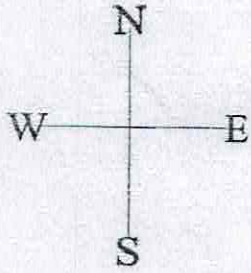


Director

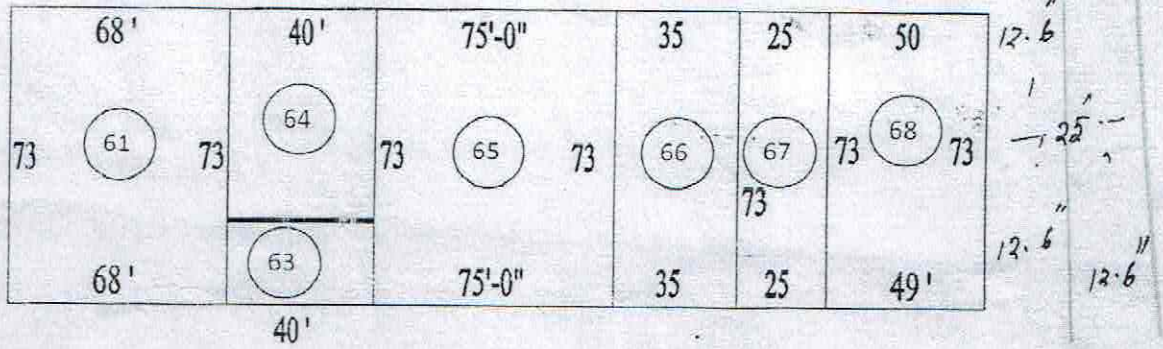
मौजा - सलेमपुर डुमरा थाना नं० 10

थाना- फुलवारी हाल थाना- शास्त्रीनगर, जिला- पटना।

खेसरा नं०- 61, 64, 63, अंश 65, 66, 67, 68



वर्तमान मापरी के अनुसार



क्रमांक	खाता नं०	खेसरा नं०	लम्बाई x चौड़ाई	काठा	धूर	धूरकी
	180	61	68x73 = 4964 वर्गफीट	03	13	0
	184	63 } 64 }	73x40 = 2920 वर्गफीट	02	02	18
	147	65	75x73 = 5475 वर्गफीट	04	0	09
	242	66	73x35 = 2555 वर्गफीट	01	17	10
	167	67	73x25 = 1825 वर्गफीट	01	06	17
	201	68	73x49.5 = 3613 वर्गफीट	02	13	02
रास्ता में- 73x12.5 =				15	13	16
912 वर्गफीट				0	13	08
रास्ता के साथ -				16	07	04
टोटल -						

For Bhawani Infracon Pvt. Ltd.

(Signature)

Director

फरिफानों के हस्ताक्षर :-
late.

1. मुस्ताज अहमद खान - w/o - समीना खातुन ([Stamp])
2. मशखुर खान - Mashkoor Khan. समीना खातुन [LTI]
3. मोसरफ हुसैन खान मोसरफ हुसैन खातुन
4. अली असरफ खान
5. मंसूर अहमद खान - Mansoor Ahmad Khan (LTI)
6. अनवर अली खान अनवर अली खातुन
7. अशगर अली खान अशगर अली खातुन
8. वजीहा खानम
9. वलीहा खानम
10. सुफिया खानम
11. फौजिया खानम

गवाहों के हस्ताक्षर :-

1. इमतेयाज खातुन
2. [Signature]

For Bhawani Infracon Pvt. Ltd.

[Signature]

Director

District: Patna.

In the court of Sub. Judge VI, Patna.

Present: Sri Ratan Kumar,
Sub. Judge VI, Patna.

Dated, Patna, the 30th April, 2011.

Title Partition Suit No. 531/2000

Mansoor Ahmad Khan alias Munni Khan

..... Plaintiff.

Vrs.

1. Mustaj Ahmad Khan alias Babu Khan Expunged.
2. Maskeor Ahmad Khan alias Musu Khan.
3. Musharrarf Hussain Khan alias Sona Khan
4. Ali Ashraf Khan alias Wahu Khan
5. Anwar Ali Khan.
6. Angor Ali Khan alias Tan Babu.
7. Shrimati Waziha Khanam.
8. Shrimati Sufiya Khanam
9. Shrimati Waliha Khanam .
10. Shrimati Fauziya Khanam

..... Defendant.

For the plaintiff: Sri Vijay Kumar 'Advocate'.
Sri Sunil Kumar 'Advocate'.

For the defendant: Sri Moideuddin Ahmad 'Advocate'.

J u d g e m e n t

This suit has been brought by the plaintiff for his share to the extent of his 1/9th in the suit property detailed in Schedule no. 1 of the plaint and for carving out his separate Tokhta by survey knowing Advocate Commissioner alongwith other reliefs.

2. In short, the case of the plaintiff is that late Nabi Khan alias Wakil Ahmad Khan, who was father of the parties to this suit, owned and possessed vast land and properties and Zamindari in the town and district of Patna and his first wife died without any issue. Thereafter, he took a second wife Bibi Khudaiza Khanam and Dain Mohar was fixed Rs. 11,000/- to the suit all

For Bhawani Infracon Pvt. Ltd.

[Signature]

Director

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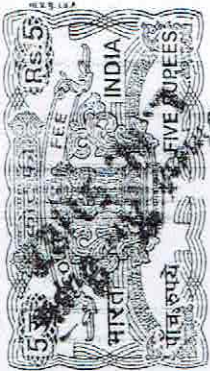


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Schedule-II of the plaint.

3. It is further the case of the plaintiff that late Nabi Khan alias Wakil Ahmad Khan within a few years of his marriage he repaid the Dain Mohar of Rs. 11,000/- (eleven thousand) by transferring his zamindari as well as Bakast and Kact land in lieu of her dower debt under a registered deed of Bai Mokosa dated 29.07.1936 and ~~his~~ the plaintiff's father had no debt on him and he died peacefully in the year 1978 and Bibi Khudaize Khanam the mother of the parties of the suit by virtue of the registered deed of Bai Mokosa dated 29.07.1936 became the owner and came in possession of partition claimed lands fully detailed in Schedule-I of ~~his~~ this plaint besides the Zamindari interest transferred to her and vesting the estate ~~in~~ the State of Bihar, Bakast land as well as the Kact land became the Raiyati land and Bibi Khudaize Khanam under the state of Bihar, the landlord and she remained and continued in peaceful possession of the land till her death on 9th July 1990 and her name was mutated in the Anchal Office, Patna and she paid rent against the rent receipts and her name was also mutated in the Patna Municipal Corporation and she also transferred some land. It is further the case of the plaintiff that plaintiff's father late Nabi Khan died and his entire property was inherited by his wife Bibi Khudaize Khanam and all ~~his~~ ^{her} sons and daughters. Bibi Khudaize advanced a huge sum of money to Musharraf Hussain Khan alias Sona Khan, defendant no.3 for purchasing the land for the benefit of all her sons and out of the money advanced by Bibi Khudaize Khanam, the mother of the parties, Sona Khan purchased about fourteen bighas of land in ~~which~~ village Makapa, P.S. Kakhdumpur, Dist. Gaya and at the time of her death in 1990, Bibi Khudaize left behind her surviving all sons and daughters who are plaintiff and defendant and also left 7.50 acres of land in the town of Patna given in Schedule-I of the plaint. Plaintiff has further stated that he was student in the religious school at Deoband, district Saharanpur (Uttar Pradesh) where besides the Islamic literature and ~~cor~~ For Bhawani Infracon Pvt. Ltd.



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Director

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visited his wife, parents and relations in Patna in the year 1996 and found the entire properties in possession as tenants in common in the year 1999 he found that the defendants had disposed of certain properties without the ~~defendants' knowledge~~ knowledge and consent of the plaintiff and appropriated the sale proceeds thereof and plaintiff suspected dishonestly on their part and requested the defendants to divide the properties mentioned in Schedule-I of the plaint but the defendants put off the matter on one plea or the other for a pretty long time and hence finding no way out the plaintiff served a legal notice dated 12.09.2000 through his Advocate Sri Satish Kumar calling upon all the defendants to divide and partition off the properties amicably which did not bear any fruit. On the contrary defendant no.4 sent a reply notice dated 22.09.2000 to the plaintiff notice making various sorts of false and incorrect allegation to that letter to which the plaintiff replied by notice dated 20.9.2000 through his Advocate Sri Vijay Kumar calling for an amicable partition of entire estate left by his parent but which was of no avail. Plaintiff has further stated that it was falsely alleged in the defendants' reply notice that plaintiff was missing for some time during the life time of his father but in fact plaintiff was prosecuting his studies in Deoband and he visited Patna and he was in direct contact with the defendant either on phone or through letters after the death of his father and mother and it is also wrong to say that all on a sudden he appeared in 1990. He has further stated that it is also falsely alleged that plaintiff started quarreling and asking for partition and also false to say that in the alleged partition the plaintiff was allotted fifty decimals of land as detailed in para -8 of the reply notice dated 22.09.2000. Plaintiff has further stated that there was no partition nor allotment of any land to any of the co-sharers including the plaintiff and the alleged allotment of the land is imaginary and the plaintiff has further stated that under the circumstances, it has become imperative now to have a partition by metes and bounds of the land described in Schedule-I of the plaint and hence he has filed this partition suit. He has stated

For Bhawanil Intracon Pvt. Ltd.

Director

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gave his entire property to his wife Bibi Khandaiza Khanam by a registered deed of Baimokhaga dated 29.7.1936. Defendant has also admitted that Bibi Khudaiza Khanam was in possession of entire properties and her name was mutated in that respect and she died on 9.7.1990 and transferred her several properties in her lifetime and the same transferee came in their possession and they are in possession even to-day. Defendant has further stated that it is false to allege that Bibi Khan advanced a huge sum of money to defendant no.3 who purchased any land. The true fact is that the sons of late Babi Khan purchased jointly the lands in Khata no.97, C.S. Plot no. 1510/947 and 3 bighas 18 Kathas by their individual self earnings and this property has been wrongly shown in the plaint to be a property left by late Begun Khudaiza Khanam. This was purchased by registered sale deed dated 19.12.1989 and in this property the sons of Nabi Khan had and his equal shares. Defendant has further stated that there is no property of the family of sons of Babi Khan in village Makpa, Dist. Gaya and it is also false that there is no such property situate in Sagarapura Salempur Dura at Patna as described to be in Khata no. 39, Plot no. 671, area 9 Kathas, similarly, there is no such land as Khata no. 247, Plot no. 944 area 3 decimals and these plots are imaginary, non-existent and not belonging to the family. Defendant has further stated that description of suit property as given in Schedule-II is wrong and incorrect. Defendant has further stated that plaintiff remained unknown and untraced for more than 12 years and even his wife and children became disappointed and took him to be dead and so much so that his wife sold some of the lands for her existence and livelihood and it is absolutely false that he had been visiting his wife and children, parent and relation of Patna. It is further stated that the plaintiff suddenly appeared and asked for partition and on his demand as per his choice he was given and allotted the properties which are detailed and described in Schedule-I of the W.S.

For Bhawani Infracon Pvt. Ltd.



Director

It is further, the case of the defendant that plaintiff sent a legal notice dated 12.9.2000 with the ulterior motive and he was replied to the same with correct facts. Defendant has further stated that plaintiff separated himself absolutely and completely by taking share and allotment for his share in partition entirely, it has own demand and absolutely at his own choice and therefore, there is no question reason or occasion for any partition. ~~It~~ Defendant has further stated that detail and description of the suit property given in Schedule-1 of the plaint are not correct entirely and they include not only non-existent land and property already gifted by Bibi Khudaiza Khanam. Defendant has further prayed that the suit is vexatious and unwarranted and the same is fit to be dismissed and the plaintiff is not entitled to any relief as claimed by him in the plaint.

5. Defendant no.10 did not file any W.S. but she accepted the the W.S. filed by defendant nos. 1 to 9.

6. On the basis of the pleading of the parties following issues were framed.

- (i) Is the suit as framed maintainable ?.
- (ii) Has the plaintiff got valid cause of action for the suit?.
- (iii) Is the suit barred by law of limitation ?.
- (iv) Is the suit barred by principles of estoppel, waiver, and acquiescence?.
- (v) Is the suit barred by resjudicata ?.
- (vi) Is the suit barred u/s. 34 of the Specific Relief Act ?.
- (vii) Is the suit barred by defect of parties ?.
- (viii) Is the suit underplued and court fee paid is insufficient?
- (ix) Is there any unity of title and possession in between parties over the properties in suit ?.
- (x) Is the plaintiff entitled to a decree for partition as claimed ?.
- (xi) To what other relief or reliefs the plaintiff is entitled to ?.

For Bhawani Infracon Pvt. Ltd.

Singh

Director

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F i n d i n g s

7. No evidence has been adduced by either side but a petition dated 2.11.2010 has been filed on behalf of defendant nos. 1 to 10 under Order 12 Rule 6 of the C.P.C. stating therein that plaintiff has filed this suit for partition of the suit property claiming his 1/9th share in the same and that the defendants have appeared and filed their W.S. in this suit in which they have stated about the previous partition and defendant has further stated that these petitioners had not denied the share of the party as alleged in the plaint and has also stated that the share of the parties are admitted and the land in suit is also admitted so with a view to shorting the litigation the petitioners have agreed for the partition of the suit property according to share of the parties and has prayed to pass a xx preliminary decree for partition of the suit properties on admission.
8. Plaintiff by way of rejoinder has filed the petition on 22.1.2011 with only objection that the petition of the defendant admitting his share in the suit property is not filed on affidavit and also that to pass an order on the petition of the plaintiff dated 10.6.2010. Thus plaintiff has no objection to the petition of the defendant. It is to be mentioned here that petition of plaintiff dated 10.6.2010 has already been disposed of by order dated 3.3.2011 and on the objection of plaintiff, defendant nos. 1 to 10 has filed again a petition Under Order 12, Rule 6 on 2.2.2011 on affidavit mentioning the same fact that as his petition dated 2.11.2010 for passing a preliminary decree in respect of 1/9th share of plaintiff in the suit property on admission.
9. An affidavit petition dated 29.4.2011 has also been filed on behalf of defendant no. 10 that 1/9th share of the plaintiff be separated and she will have no objection for the same and has prayed to pass the necessary order in his behalf.

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For Bhawani Infracon Pvt. Ltd.


Director

10. Plaintiff has brought this suit for his 1/9th share in the suit property as mentioned in Schedule-1 of the plaint whereas defendant in their W.S. has pleaded that previous partition has already taken place but by their petition dated 2.11.2010 and 2.2.2011 Under order 12 Rule 6 they have admitted the claim of 1/9th share of the plaintiff and also the land in the suit is admitted by the defendant in the plaint and has prayed to pass a preliminary decree for 1/9th share of the suit property on admission in favour of plaintiff.

11. Hence, considering the facts on admission by all the defendant 1/9 share of the plaintiff in the suit property as mentioned in Schedule-1 of the plaint, Plaintiff is entitled for the same. Hence, is hereby,

Ordered

That the suit and the same is decreed without contest in favour of plaintiff for his 1/9 share in the suit property as mentioned in Schedule-I of the plaint by ^{carrying} ~~carrying~~ out separate Takhta for his share in the suit property by appointment of survey knowing Advocate Commissioner. There shall be no reference of cost.

Let a preliminary decree be prepared to that effect. The petition of the defendants admitting the share of the plaintiff will be part of the preliminary decree.

(Dictated and corrected by me)

Ratan Kumar
Sub. Judge VI,
Patna.

Ratan Kumar
Sub. Judge VI,
Patna

For Bhawani Infracon Pvt. Ltd.

[Signature]

Director

[Signature]
14/07/11

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DECREE IN ORIGINAL SUIT

Order XX, Rules 6 and 7, Code of Civil Procedure

District Batna

In the Court of Sub Judge

at Batna

Date of filing - 21.12.2000

Date of Admission - 2.1.2001

Value of the suit Rs. 75,00,000/-

Title. B. Suit No. 531 of 2000

Mansoor Ahmad Khan alias Munni Khan S/o late Nahi Khan alias Nahi Ahmad Khan
S/o Mohalla - Samanpur, P.S. - Shastri Nagar, Town Dist - Batna Plaintiff

1. Naskoor Ahmad Khan alias Munni Khan versus

2. Musharraf Hussain Khan alias Sana Khan

4. Ali Ashraf Khan alias Nanku Khan

5. Anwar Ali Khan alias Nanku Khan

6. Asgar Ali Khan alias Tah Babu Defendant

Note - The addresses given above are the addresses for service filed by the parties under rules

19 and 22 of Order VII, or under rules 11 and 12 of Order VIII, of the first Schedule to the Code of Civil procedure, with the exception of

who did not appear or omitted to file their addresses

Muharrir

Claim for Rs. 75,00,000/-

That the cause of action in the suit arose on various dates, when the demand for partition was made by the plaintiff and when the demand for partition was made by the plaintiff and when the defendants evaded / or declined partition lastly on 12.09.2000 when the plaintiff under a legal notice through Sri Satish Kumar Singh, Advocate called upon the defendants nos 1 to 6 to make partition and on 25.9.2000 when the plaintiff received the reply dated 22.09.2000 from Sri Ali Ashraf Khan alias Nanku Khan through Dhanyajay Nath Singh, Advocate, and lastly on 29.09.2000 when again the plaintiff requested the defendants for partition by a notice sent through Sri Bijay Kumar, Advocate to Sri Dhanyajay Kumar Singh, Advocate.

For Bhawani Infracon Pvt. Ltd.

Director

Court of Sub Judge 2nd Parting

T.P.L 531/2000

30.12.10

Mrs. Mansoor Ahmed vs. Mr. Murtaza Ahmed
P.O. is on C.L. Defendant has S.I.VI.

Defendant. Plaintiff is absent.

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To 13.1.11 for filing

6 sheet
N.D. 11/4/11

rejoinder.

In S.I.VI it

13.1.11

Both parties file rejoinder. A
petition has been filed
on behalf of Plaintiff for filing
rejoinder.

To 22.1.11 for filing

rejoinder. Last chance is given
to Plaintiff for filing rejoinder.

L
55/11

22.1.11

Both parties file rejoinder. A rejoinder
has been filed on behalf of Plaintiff
to the petition dated 2.1.11 of Defendant.

To 31.1.11 for hearing

on petition.

S.I.VI

31.1.11

Plaintiff files rejoinder.

To 2.2.11 for hearing

2.2.11

Both parties file rejoinder. A petition
suggested with affidavit has been filed on behalf of Defendant to file
To 10.2.11 for hearing

on petition.

10.2.11

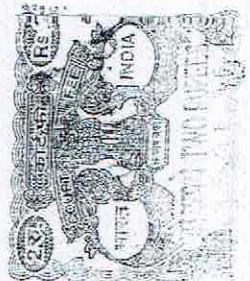
Plaintiff files rejoinder. Defendant side
is present.

On request, put up

on 26.2.11 for judgment.

For Bhawani Infracon Pvt. Ltd.

Director



50

of Sub Judge VIth Bihar
T.P.S. 531/2000

26.2.11 Judgment not delivered
due to non availability of
W.S.
Pending on 28.2.11

~~the judgment.~~ 531/11

28.2.11 Plea with title having. Copy of
written statement of defendant no. 1/10g
has been filed.

Pending on 3.3.11 for order
to permit claim 10.6.10 of plaintiff and
its rejection dated 2.8.10.

3.3.2011

A petition dated 10.6.2011 supported with
affidavit has been filed on behalf of plaintiff under
Order 1 Rule 10 read with section 151 of C.P.C. stating
therein that plaintiff has filed the aforesaid suit for
partition of the plaintiff's share to the extent of
1/9 in the suit property and that other defendants have
sold part of suit property to M/s. Basundhara Homes Pvt.
Ltd. registered office at B-42 Teewari Niketan, West Bihar,
New Delhi-87 and local branch Office at 303/411 Adharacheela
Commercial Complex, South Gandhi Maidan, Patna 1 through
M.D. Sat. Naleeni Singh wife of Sri Dineshchandra Singh
vide sale deed no. 8326 dated 11.5.2010 and that the defendant
and purchaser viz. Basundhara Homes Pvt. Ltd are trying to
deprive the right, title, interest and possession of the
plaintiff from the suit property and the purchaser is
constructing Multi Storey building over the suit property
and selling the flats to the other persons. Plaintiff has
further stated that the purchaser of the suit property is
necessary party to the suit and in his absence no effective
and current judgment can be passed and has prayed
Basundhara Homes Pvt. Ltd.

For Bhawani Infracon Pvt. Ltd.

Director

Count of Sub Judge Dst Patna
T.O.S. 531/2000

14.3.11 - Plaintiff file diary.

Stop. To 11.4.11 for further
L
S. J. D. 11

11.4.11

Defendant file diary.
Written statement of defendant
is not available on record.
Defendant has already filed
the copy of W.S. Other side
has no objection.

Order to write a
letter for permission
of W.S. to the District Judge.

Put up on 13.4.11.

L
S. J. D. 14

13.4.11

Defendant file diary.

Put up on 20.4.11.

L
S. J. D. 16

Later on
13.4.11

Letter no. 13490 / Admin. Dept.

13.4.11 has been received

from the Registrar, Civil Court
Patna through which the District
Sessions Judge has been pleased to
grant permission for the continuation
of written statement of T.O.S. 531/2000.

seen. Let it be
kept on record.

L
S. J. D. 16

48

Title Partition Suit No. 531/2000

contd.
3.3.2011

Rejoinder to the petition dated 3.8.2010 has been filed on behalf of defendant stating therein that the petition of the plaintiff for adding purchaser of the party is illegal and wrong and that the copy of deed filed by the plaintiff alongwith the said petition dated 11.5.2009 but in the petition the plaintiff has wrongly mentioned the date of deed as 11.5.2010. It is also stated that the said deed is not the sale deed but it is agreement to sale. Defendant has further stated that the suit for partition itself is not maintainable as there is no joint property as alleged in the plaint hence, there is no reason for adding the purchaser of the suit property as party to the suit. He has further stated that the alleged deed is agreement for sale & do not convey any right, title and interest to the purchaser in the suit property hence, prayed to reject the petition of the plaintiff for adding the purchaser as a party.

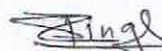
Parties have been already been heard on the point. Perused the record.

Plaintiff has filed a photo copy of deed which is of 11.5.2009, it is a deed of agreement for sale in favour of M/s. Basundhara Home Pvt. Ltd. by the defendant it is not the sale deed hence, no property is purchased by Basundhara Private Ltd and an agreement to sale does not create any right, title and interest in favour of party and whose favour the deed is executed hence, Basundhara Home Pvt. Ltd. is not a necessary party in the suit and he has no title and interest in the suit property.

Considering the facts, the petition of the plaintiff dated 10.6.2010 under order 1 Rule 10 of the C.P.C. is hereby dismissed.

Put up on 14.3.11 for further steps.

For Bhawani Infracon Pvt. Ltd.



Director

7.12.52/2000

20.4.11

Plaint forms file begins.

As per order

of District Judge with statement
has been re-constructed.

Hand both sides.

Put up on 28.4.11 for judgment.

S. S. D. H.

28.4.11

Plaint forms begin.

Dependent side
appeared and requested
that they have to file
some papers. As such
judgment could not pass.

Put up on 29.4.11

for filing papers & for judgment.

29.4.11

Plaint forms begin. A person
appeared with affidavit & power has
been filed on behalf of defendant
no. 10. Plaintiff Khanna to contest
the work of defendant no. 10 & 9. As
such judgment could not pass
today.

Put up on 30.4.11 for

judgment.

30.4.11

Judgment delivered in open
Court while in presence of defendant
pages from page 1 to 8 in form
separate sheets.

As suit is decreed
without contest in favour of Plaintiff.

Camp of our ridge 2nd house

T.O.S. 531/2000

Cont-2

30.4.11

S. J. L. J. J.

$$\begin{array}{r} 15811 \end{array}$$

38th

for his $\frac{1}{4}$ share in the
Said property as mentioned in D
Schedule - 2 of the Grant by Census 15811
out separate Tickets for his share 3847
in the Said property by appointment
of survey bearing Adverse Commission.
There shall be no reference of Cost.

What a preliminary
decision be prepared to that effect.
The ~~public~~ ~~graphs~~ ~~dependants~~ ~~admitting~~
the share of the ~~system~~ will be part
of the preliminary decision.

5. J. J. H.

9.5.11

Deine Freunde & Bekannte

2591k

13.5.11

No objection raised. Decree
signed & signed. by

$$2.53 + 1$$

Prepaid by Cash by
12.00
22/11/04

22 1704)

[Faint, illegible markings]

45



[Signature]

to the value of Rs. 75,00,000/- for the purpose of jurisdiction, but it is a simple suit of partition so a fixed cost of Rs. 250/- is paid.

That the aforesaid cause of action arose in Mohalla - Samarpura, P.S. - Shastri Nagar in the town and district of Patna, within the jurisdiction of this court.

That the plaintiff prays for the following reliefs:-

- an adjudication of the facts and circumstances, submitted above, a preliminary decree for partition declaring the plaintiff's share to the extent of $\frac{1}{3}$ in the partition claimed property, detailed in schedule-I of the plaint, be passed;
 - After passing the preliminary decree a survey knowing layer be appointed as commissioner and the plaintiff's Tarkata proportionate $\frac{1}{3}$ share be carved out and a final decree be passed;
 - Cost of the suit with interest pendente lite and future be granted;
- And for this the plaintiff shall ever pray.

Schedule - I

Details of the land left by late Begum Khudaija Khanam in the town of Patna.

<u>Mauza</u>	<u>Khata No.</u>	<u>Plot No.</u>	<u>Area</u>
Salampur	180	61	
Dumra aliad	184	62	
Samarpura	147	63	
P.S. Shastri Nagar	242	64	
Town Patna	169	65	
	201	66	
	267	67	
	956	68	

For Bhawani Infracon Pvt. Ltd.



Director

5/6

<u>Mauza</u>	<u>Khat No.</u>	<u>Plot No.</u>	<u>Area</u>
Salampur Dumra	9	69	
	247	70	
	232	72	
	45	89	
	112	90	
	125	91	
	7	112	
	71	113	
	100	369	
	89	400	
	80	405	
	56	406	
	49	404	
	39	409	
	4	511	
		512	
		513	
		514	
		671	
		672	

Total Area - 5.34 1/2 Acre

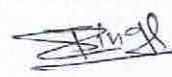
AND

Salampur	39	671	9 Katha
Salampur	247	944	.07 Acre
Dumra			
Patra			
Willage			
makara	97	122	1.50 1/2 Dec.
C block maula dumper	97	247	2.18 Dec.
Jamshabad, (paya)	97	1510	
		947	3 Pigha


The Secy
9.5.11


For Bhawani Infracon Pvt. Ltd.
9.5.11


d. 5.11
13.5.11


Director

* Contd.. from Page no. 1

All Sons of late Nabi Khan alias Vakil Ahmed Khan, residents of village -- Samarpur, P.S. - Shastri Nagar Town & Dist. of Patna.

7. Shrimati Wagila Khanam, w/o Shaukat Ali Khan and D/o late Nabi Khan alias Vakil Ahmed Khan

8. (i) Sahid Hussain Khan
- (ii) Khalid Hussain Khan
- (iii) Tokhta Khanam
- (iv) Paroja Khanam
- (v) Parjang Khatun
- (vi) Sabbi Khanam
- (vii) Imrana Khanam
- (viii) Bushra Khanam

All D/o Mohalla - Samarpur, P.S. - Shastri Nagar town & Dist. - Patna

9. Shrimati Walika Khanam w/o Abul Hasnat Khan and D/o late Nabi Khan alias Vakil Ahmed Khan D/o Baniya Pokhar near Hakeem 9th ward, P.S. - Civil Lines District - Gaya

10. Shrimati Daugiya Khanam w/o Khalquzama Khan and D/o of late Nabi Khan alias Vakil Ahmed Khan D/o Nagbatiya Colony, Road No-4, P.S. - Civil Lines Road at Gaya.

* Contd from Page no. 1

- (i) Sanjida Khatun (wife)
- (ii) Sham Parveen
- (iii) Gulika Khatun
- (iv) Tubra Khatun
- (v) Noor Jahan
- (vi) Md. Nasir Khan

Defendants.

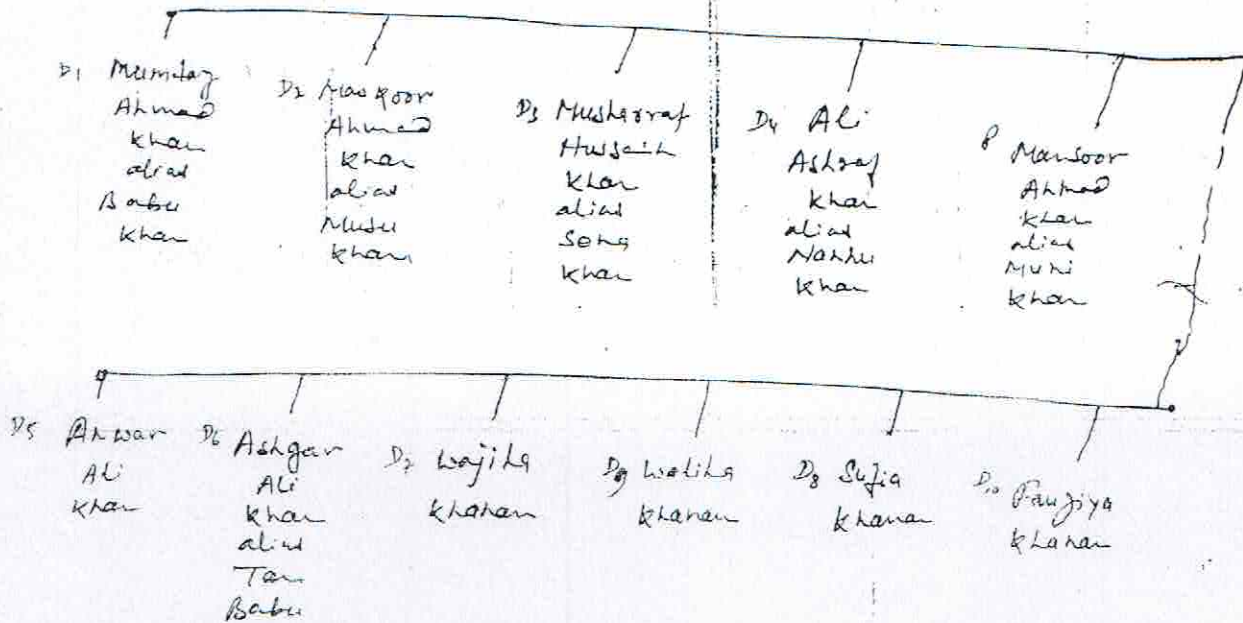
For Bhawani Infracon, Pvt. Ltd.

Director

42

Schedule - II
Genealogy

Nabi Khan alias Vard Ahmed Khan (died)
= Bibi Khudaija Khanam (died)



Khudaija Bibi died on 1990
leaving behind surviving all her son and
daughters and land measuring 7.50 acres.

①
2k 000
7.5.11

Aff
Str.
7.5.11

Sub Judge H. P. Singh
13.5.11

For Bhawani Intracon Pvt. Ltd.

[Signature]

Director

2/6

This suit counting on this 29.4.11 for final disposal before Sri Ratan Kumar
 Sub Judge IInd, Patna day
 in the presence of
 Sri Vijay Kumar 'Advocate' Sri Sunil Kumar 'Advocate' for the plaintiff
 and of Sri Mainuddin Ahmed 'Advocate' for the defendant

It is ordered and decreed that the suit and the same is decreed without contest
 in favour of Plaintiff for his 1/3 share in the suit property as mentioned
 in schedule - I of the plaint by carrying out separate Taluk for his
 share in the suit property by appointment of survey knowing Advoent
 Commissioner. There shall be no reference of cost.
 The petition of the defendants admitting the
 share of the Plaintiff will be part of the preliminary decree.
 and that the sum of Rs. X
 as paid by the

to the

an account of the costs of this suit, with interest thereon at the rate of X per
 annum from this date to date of realization.

Given under my hand and the seal of this Court, this*

30th day of April 2011

* Enter here the date of the judgment.

9.5.11

COSTS OF SUITS

Sub Judge IInd
 13.5.11

Plaintiff Allowed	Amount Rs. P.	Defendant Disallowed	Amount Rs. P.
1. Stamp for complaint	250 00	Stamp for power	5 00
2. Do for power	5 00	Do for petition or affidavit	40 00
3. Do for petition or affidavit	40 00	Cost for exhibition	
4. Cost for exhibits.		Pleader's fee	
5. Pleader's fee on Rs.		Subsistence :-	
6. Subsistence :-		(a) for defendant or his agent	
(a) for plaintiff or his agent		(b) for witnesses	
(b) for witnesses		Commissioner's fee	
7. Commissioner's fee		Service of process	
8. Service of process		Copying or typing charges	
9. Copying or typing charge			
Total	295 00	Total	45 00

Prep-by Pambby
 2011

For Bhawani Infracon Pvt. Ltd.

Director

40

14-02-11 11:02-11

6/6

529/14-15

Authorization No. 2676
आदेश-पत्रक
जिला
से
तक
१९

आदेश की क्रम संख्या और तारीख	आदेश और पदाधिकारी का हस्ताक्षर	आदेश पर की गई कारवाई के बारे में टिप्पणी तारीख सहित
1	2	3

श्री संसुर अहमद खाँ वल्द खान मोहनवी खाँ उर्फ
ग्राम समनपुरा पोस्ट वकील अहमद खाँ
थाना शास्त्रीनगर जिला पटना
केवाला नं० T.P.S.NO-531/2080
के आधार पर निम्नांकित जमीन पर दाखिल खारोज हेतु आवेदन-पत्र दाखिल किया है।

मौजा	थाना नं०	खाता नं०	खसरा नं०	एराजी	लगान
सलेमपुर बुमरा	10	180	61	21352	6=70
		184	63		
		147	64		
		242	65		
		167	66	0.4920	
		201	67		
			68		

मूल आवेदन पत्र हल्का कर्मचारी के पास जाँच हेतु भेज दें। अभिलेख दिनांक को उपस्थापित करें।

लेखापति एवं संशोधित
अंचलाधिकारी

अंचलाधिकारी

हल्का कर्मचारी का जाँच प्रतिवेदन अंचल निरीक्षक के माध्यम से प्राप्त हुआ। महाल वो खास पर नोटिश जारी करें। अभिलेख दिनांक को उपस्थापित करें।

लेखापति एवं संशोधित
अंचलाधिकारी

अंचलाधिकारी

नोटिश का तामिला प्राप्त है। किसी प्रकार की आपत्ति प्राप्त नहीं है। हल्का कर्मचारी एवं अंचल निरीक्षक के अनुशंसा के आधार पर दाखिल खारोज किया जाता है। शुद्धि पत्र निर्गत करें।

लेखापति एवं संशोधित
अंचलाधिकारी

For Bhawani Infracon Pvt. Ltd. अंचलाधिकारी

प्रमाणित प्रतिलिपि
परकरी के पत्र नं० 98/14
३-६-१०/१५/अनुमति
११/११

दाखल खारिज का जांच प्रातवदन

दाखल खारिज नं० 529 साल 2014-2015 हल्का नं० 3 अंचल परगना सर
मौजा दादामपुर दुमरा राजस्व थाना कुलवारी थाना नं० 10 जिला-
दा० खा० में जमीन का रकबा 21351/99 प्राप्ति का जरीया TR.S.No-531/2000
पूरा या टुकड़ा होलिंग अ० 49 वसिका नं० 4 तिथि 4
जरसम्मान 4

(दाखल खारिज के पूर्व लगीत)

जमाबन्दी नं० 645

पुराना रैयत का नाम एवं पूर्ण पता

मुभताज अहमद खां, मसकुर अहमद खां,
मोबारक दुसेन खां, अली अशरफ खां,
मंसूर अहमद खां, अनवर अली खां,
असगर अली खां, कजीदा खानम,
जलीदा खानम, सुफीया खानम,
कुलीया खानम सभी के पिता
स्व० मो० नबी खां उर्फ वकील
अहमद खां
हो - समनपुरा, शास्त्रीनगर, परगना

आता नं०	खेसरा नं०	एराजी ए० ड०	लगान
180	61	4.2620	45=80
184	63		
147	64		
242	65		
167	66		
201	67		
(रंग)	68		

अभियुक्ति
आवेदन भूमि की
जमाबन्दी कावेदक एवं इनके
आईनों एवं बच्चों के नाम
से संयुक्त रूप से दर्ज है
आवेदन को भूमि T.P.S.
No-531/2000 के द्वारा एवं
अज-VA परगना द्वारा वहीदा
प्राप्त हुआ है जिसकी हजामती
संलग्न है आवेदन को प्राप्त
भूमि वहीदा का दाखिल-
खारिज करने हेतु सभी पक्षों
की सहमति पत्र भी संलग्न
किया है संलग्न है भूमि रैयती
रकबा भी संलग्न है (दखल में है)
है, जो वहीदेनुसार दखल में है
अतः दूकनोपरान्त यदि
आपति न है तो दखल की
आपति न है तो दखल की

बाद का होलिंग

लक्ष्य

3.77	38=30
------	-------

नया होलिंग

श्री मंसूर अहमद खां
पिता
स्व० मो० नबी खां उर्फ
वकील अहमद खां
हो - समनपुरा,
शास्त्रीनगर,
परगना

180	61	4964
184	63	2920
147	64	5475
242	65	2555
167	66	1825
201	67	3613
	68	21352
		कुल 12
		अ० 49

पुलना दिया

For Bhawani Infracon Pvt. Ltd.

Director

प्रमाणित सचिव, प्रतिलिपि
महेश्वर सिंह
अध्यापक

Sch. XIV.—F.No. 180V

रसीद मालगुजारी

नाम सर्कल। नाम मौजामय

थाना वो थाना नम्बर।

V

बि०स०मु०, पटना।

फरद मालकी/फरद रैयती।

नाम रैयतमय वल्लिदयत जमाबन्दी।

वो सकुनत। नम्बर

Y
5

2255

0480777

पटना सलोकपुरपुरा मंझूर अहमद खा

अराजी नकदी

10

अराजी भावली

पिता

तफसील हिसाब लगान भावली।

2135290000 रकम मौजवी खा उर्फ वकील अहमद खा

मौ 49

वो का सालाना मांगमय तफसील (बकाया वो हाल) मौजूदा साल का।

मांग बाबत 2018-19	सालाना	बकाया				हाल
		तीन वर्ष से ज्यादा	3रा वर्ष।	2रा वर्ष।	1ला वर्ष।	
माल- } (नकदी)	10.50					10.50
गुजारी } (भावली)	10.50					10.50
सेस	10.50					10.50
*सूद	10.50					10.50
मुतफरकात	10.50					10.50
मीजान	50.50					50.50

WITHOUT PREJUDICE

तफसील अदायकारी।

अदायकारी बाबत 2018-19	सालाना	बकाया				मोतालबा हाल	फाजिल
		तीन वर्ष से ज्यादा	3रा वर्ष।	2रा वर्ष।	1ला वर्ष।		
माल- } (नकदी)						10.50	
गुजारी } (भावली)						10.50	
सेस						10.50	
*सूद						10.50	
मुतफरकात						10.50	
मीजान अदायकारी						50.50	

(1) मीजान कुल (लफ्जों में)

50.50

(2) नाम देहिदा

(3) कुल बकाया

दस्तखत वो तारीख अमला तहसील कुनिन्दा

*खास महाल का बकाया मालगुजारी पर (सिवाय ऐसे बकायों पर जिन पर कि सर्टिफिकेट जारी हो) सूद नहीं लिया जाता है।

रकमात - 180, 184, 147, 242, 167, 201

SPL-16-17

प्लोएक - 61, 63, 64, 65, 66, 67, 68

For Bhawani Intracon Pvt. Ltd.

Director

37



PATNA MUNICIPAL CORPORATION



बिहार सरकार

PID :- 1367333		RECEIPT F.Y.: 2014-2015 To 2019-2020				 * QR Code	
Receipt No.	Date	Related To					
DTD0423995	04-06-2019	Tax and Revenue					
Received From		MANSOOR AHMAD KHAN					
Subject		Property Tax Self-Assessment And Payment					
Narration		Circle : Patliputra Circle, Ward : 6, Property No. 1367333. Revenue Circle:267, New Holding: , Old Holding:					
Owner		MANSOOR AHMAD KHAN					
Guardian Name		LATE NAVI KHAN ALEIS WAKIL AHMAD KHAN					
Mobile No.		9931399749					
Address		ROAD NO-4, FRIENDS COLONY, JAY PRAKASH NAGAR, PATNA					
Payment Mode	Amount(Rs.)	Cheque/DD No.	Cheque/DD Date		Bank Name		
CHEQUE	55873.00	738154	04-06-2019		Canara bank		
Bill No.	Bill Date	Details	Payable Amount(Rs.)		Received Amount(Rs.)		
			Arrears	Current	Arrears	Current	
111612	04-06-2019	Holding Tax	29,895.00	5,979.00	29,895.00	5,979.00	
111611	04-06-2019	Interest on Arrears Bill	14,798.05	5,000.00	14,798.05	5,000.00	
111610	04-06-2019						
111609	04-06-2019						
111608	04-06-2019						
Total Amount			44,693.05	10,979.00	44,693.05	10,979.00	
Payable Amt.: Rs. 55,672.00			Rebate Amt. : Rs. 299.00		Rain Water Harvesting Rebate. : Rs. 0.00		
One Time Water Charge. : Rs. 500.00							
Adjusted Advance : Rs. 0.00			Adjusted Arrear : Rs. 0.00				
Actual Payable Amt. : Rs. 55,873.00							
Total Received Amt. Rs.: 55,873.00			Outstanding Amt. (Till Receipt Date): Rs. 0.00				
Amount In Words		Fifty Five Thousand Eight Hundred Seventy Three Rupees					
Received By		SANJAY KUMAR P1		Dated		04-06-2019 14:43:38	

Note :

- For any query dial Toll Free Number : 1800-121-8545.
- Cheque/Draft/ Bankers Cheque are Subject to realisation.
- कर का भुगतान इमारत / ढाँचों को कोई कानूनी हैसियत प्रदान नहीं करेगा और / या न ही भुगतान कर्ता को कोई कानूनी अधिकार प्रदान करेगा ।

* You may validate receipt by scanning QR Code.

For Details Please Visit : <https://patnamunicipal.net>

QR Call us at 1800 121 8545

Phone No. : 0612-2578381

PATNA MUNICIPAL CORPORATION

In Collaboration with

Sparrow Softech Pvt. Ltd.

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Received the Receipt No. DTD0423995 of Rs. 55,873.00 against Payment of Property Tax of PID 1367333.

Issued By Sparrow Softech Ltd.
For Patna Municipal Corporation



[Signature] Director

Signature of Recipient