

Court No. - 18

Case :- WRIT - B No. - 1001298 of 2013

Petitioner :- Sushil Kumar And Others

Respondent :- State Of U.P. Thru Secy. Revenue Deptt. U.P.
And Others

Counsel for Petitioner :- Ravi Nath Tilhari, Akshat
Kumar, Ravi Nath Tilhari, Sanjay Kumar
Srivastava, Sonu, Yogesh Kesarwani

Counsel for Respondent :- C.S.C., Ram Kr. Singh

Hon'ble Shree Prakash Singh, J.

Order on Application for Substitution No. 13294 of 2019

Learned counsel for the applicants/petitioners is pressing application dated 28.01.2019 and submitted that petitioner no.6, namely, Ajay Kumar died on 11.11.2018 leaving behind his wife, Smt. Suman Gupta, sons Aman Gupta, Mukul Gupta and daughters Namita Gupta and Nayan Gupta. He thus submits that he may be permitted to substitute the names of Smt. Suman Gupta, Aman Gupta, Mukul Gupta, Namita Gupta and Nayan Gupta in place of name of petitioner no. 6 as petitioner no.6/1, 6/2, 6/3, 6/4 and 6/5 respectively.

Learned counsel for the State and learned counsel for the private respondents have no objection to the submissions aforesaid.

In view of the aforesaid submissions, application for substitution dated 28.01.2019 is allowed.

Petitioners are permitted to carry out necessary amendments as mentioned in para 3 affidavit filed in support of the application for substitution, within fifteen days.

Order on Application for Substitution No.6153 of 2020

Learned counsel for the applicants/petitioners is pressing

application dated 05.02.2020 and submitted that petitioner no.1, namely, Sushil Kumar died on 06.11.2019 leaving behind wife Smt. Manju Gupta and sons Pawan Gupta and Deepak Gupta. He thus submits that he may be permitted to substitute the names of Smt. Manju Gupta, Pawan Gupta and Deepak Gupta in place of name of petitioner no.1, namely Suil Kumar as petitioner nos. 1/1, 1/2 and 1/3.

Learned counsel for the State and learned counsel for the private respondents have no objection to the submissions aforesaid.

In view of the aforesaid submissions, application for substitution dated 05.02.2020 is allowed.

Petitioners are permitted to carry out necessary amendments as mentioned in para 3 of the affidavit filed in support of the application for substitution, within fifteen days.

Order on Application for Substitution No. 18154 of 2020

Learned counsel for the applicants/petitioners is pressing application dated 10.02.2020 and submitted that petitioner no.4, namely, Rajnish Kumar died on 12.11.2019 leaving behind Smt. Rama Gupta and son Rishabh Gupta. He thus submits that he may be permitted to substitute the name of Smt. Rama Gupta and Rishabh Gupta in place of name of petitioner no. 4, namely, Rajnish Kumar, as petitioner nos. 4/1 and 4/2.

Learned counsel for the State and learned counsel for the private respondents have no objection to the submissions aforesaid.

In view of the aforesaid submissions, application for substitution dated 10.02.2020 is allowed.

Petitioners are permitted to carry out necessary amendments as

mentioned in para 3 of the affidavit filed in support of the application for substitution, within fifteen days.

Order on Application for Substitution No.18168 of 2020

Learned counsel for the applicants/petitioners is pressing application dated 10.02.2020 and submitted that opposite party no.11 (ii), namely, Raju Gupta @ Raj Kumar died on 30.12.2019 leaving behind wife Smt. Somwati. He thus submits that he may be permitted to substitute the name of Smt. Somwati in place of names of opposite party no.11 (ii) as opposite party no.11 (ii) (a).

Learned counsel for the State and learned counsel for the private respondents have no objection to the submissions aforesaid.

In view of the aforesaid submissions, application for substitution dated 10.02.2020 is allowed.

Petitioners are permitted to carry out necessary amendments as mentioned in para 4 of the affidavit filed in support of the application for substitution, within fifteen days.

Order on Application for Delay No. 12 of 2022

Learned counsel for the applicant/applicants is pressing application dated 16.05.2022 and submitted that delay in moving the application for substitution dated 16.05.2022 may be condoned for the reasons explained in the affidavit filed in support of the application for condonation of delay.

Learned counsel for the State and learned counsel for the private respondents have no objection to the submissions aforesaid.

In view of the aforesaid, delay in filing the substitution

application is condoned.

Application for delay dated 16.05.2022 stands **disposed of** accordingly.

Order on Application for Substitution No.13 of 2022

Learned counsel for the applicants/petitioners is pressing application dated 16.05.2022 and submitted that petitioner no.8, namely, Yougendra Nath died on 02.05.2001 leaving behind wife Smt. Kusuma Devi, daughter Smt. Arti Gupta sons Anurag Gupta, Pankaj Gupta and Sandeep Gupta. He thus submits that he may be permitted to substitute the names of Smt. Kusuma Devi, Smt. Arti Gupta, Anurag Gupta, Pankaj Gupta and Sandeep Gupta in place of names of petitioner no.8 as petitioner nos.8/1, 8/2, 8/3, 8/4 and 8/5.

Learned counsel for the State and learned counsel for the private respondents have no objection to the submissions aforesaid.

In view of the aforesaid submissions, application for substitution 16.05.2022 is allowed.

Petitioners are permitted to carry out necessary amendments as mentioned in para 2 of the application for substitution, within fifteen days.

Order on Application for Substitution No.14 of 2022

Learned counsel for the applicants/petitioners is pressing application dated 16.05.2022 and submitted that opposite party no.14, namely, Smt. Vidya Devi died on 24.03.2022 leaving behind son Subhash Gupta and daughters Mrs. Meena Gupta, Mrs. Vijay Lakshmi Gupta and Mrs. Rubi Gupta. He thus submits that he may be permitted to substitute the names of Mrs. Meena Gupta, Mrs. Vijay Lakshmi Gupta and Mrs. Rubi

Gupta in place of name of opposite party no.14 as opposite party nos. 14/1, 14/2, 14/3 and 14/4.

Learned counsel for the State and learned counsel for the private respondents have no objection to the submissions aforesaid.

In view of the aforesaid submissions, application for substitution 16.05.2022 is allowed.

Petitioners are permitted to carry out necessary amendments as mentioned in para 1 of the application for substitution, within fifteen days.

Order on Application for Correction No. 18 of 2023

Learned counsel for the applicants/petitioners is pressing application dated 25.09.2023 and submitted that due to typographical error, in application for substitution dated 16.5.2022, 'petitioner no.3' has wrongly been typed as 'petitioner no.7' in all places. He, therefore, submits that he may be permitted to correct 'petitioner no. 7' as 'petitioner no. 3' in all places in the substitution application.

Learned counsel for the State and learned counsel for the private respondents have no objection to the submissions aforesaid.

In view of the aforesaid submissions, petitioners are permitted to correct 'petitioner no.7' as 'petitioner no.3' in all places in the substitution application during the course of day.

Order on Application for Substitution No.15 of 2022

Learned counsel for the applicants/petitioners is pressing application dated 16.05.2022 and submitted that petitioner no.3, namely, Rajesh Kumar died on 02.05.2022 leaving behind Smt. Rajni Gupta, Smt. Neha Gupta, Smt. Juhi Gupta, Isha Gupta and Shania Gupta. He thus submits that he may be permitted to substitute the names of Smt. Rajni Gupta, Smt. Neha Gupta,

Smt. Juhi Gupta, Isha Gupta and Shania Gupta in place of name of petitioner no.3 as petitioner nos.3/1, 3/2, 3/3, 3/4 and 3/5.

Learned counsel for the State and learned counsel for the private respondents have no objection to the submissions aforesaid.

In view of the aforesaid submissions, application for substitution 16.05.2022 is allowed.

Petitioners are permitted to carry out necessary amendments as para 1 of the application for substitution, within fifteen days.

Order on Writ Petition

Sri Sanjay Kumar, learned counsel for the petitioners submits that he may be permitted to withdraw instant petitioner.

Learned counsel for the State and learned counsel for the private respondents have no objection to the submissions.

In view of the aforesaid submissions, instant petition is dismissed as withdrawn.

Interim order, if any, stands vacated.

Consigned to the records.

Order Date :- 11.12.2023

Ram Murti