

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11595 of 1997

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Manjhi Sah son of Late Baldeo Sah (**expunged vide order dated 31.08.1999 and substituted by his following heirs and legal representatives**)

- (i) Parmeshwar Prasad Gupta
(ii) Rajeshwar Prasad Gupta
Both resident of village Bishunpur, Bhalud, Post Bishunpur Bhalud,
P.S.Bela, District Sitamari

.... Petitioner/s

Versus

1. The State of Bihar
2. The Joint Director of Consolidation, Muzaffarpur
3. The Deputy Director of Consolidation
4. The Consolidation Officer, Parihar, District Sitamarhi
5. Lall Kishore Singh son of Ramjatan Singh
6. Saroj Kumar Singh son of Lall Kishore Singh
7. Manoj Kumar Singh son of Lall Kishore Singh
8. Ram Chander Mandal son of Late Pragass Mandal
9. Bhola Mandal son of Late Ram Pragass Mandal
10. Lall Kishore Mandal son of Late Ram Pragass Mandal
11. Ram Narain Mandal son of Late Bilal Mandal

Respondent nos. 5 to 11 are residents of village Bishunpur, Khairwan
Bhalud, Post Bishunpur, Khairwan, P.S. Bela Bhalud, District Sitamarhi

.... Respondent/s

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Appearance :

For the Petitioner/s : None

For the Respondent Nos. 1 to 4 : Mr. Harun Quarashi, AC to SC 18

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

14 09-09-2015

Despite repeated calls, none appears on behalf of the petitioners.

From the office note dated 08.09.2015 it appears that the original sole petitioner Manjhi Sah died during pendency of the writ petition and he was substituted by his two sons by order dated 31.08.1999. It further appears that both the substituted petitioners have also passed away during the pendency of the present writ petition. I.A. No. 9390 of 2014 was filed for substituting the heirs and legal representatives of aforesaid two

substituted writ petitioners, which has been dismissed by a Bench of this Court (Coram: Rakesh Kumar,J.) by order dated 26.06.2015. In that view of the matter, the writ petition cannot proceed as none of the petitioners are surviving.

Learned State counsel appearing on behalf of the official respondents does not dispute the aforesaid factual position, rather he submits that the writ petition is liable to be dismissed in the facts of the case.

In above view of the matter, the writ petition as a whole has abated and is, accordingly, dismissed.

(Birendra Prasad Verma, J)

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