

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2025 of 2015

In

Civil Writ Jurisdiction Case No. 10884 of 1997

1. Arun Kumar Singh (Deceased)
2. Anjani Kumar Singh
3. Shatrumardhan Kumar Singh @ S.M.S. Shahi
All son of late Tej Narain Singh
4. Smt. Shipra Singh W/o late Praduman Kumar Singh
5. Rohit Kumar Singh S/o late Praduman Kumar Singh
6. Henarani devi W/o late Tej Narain Singh (deceased)
All R/o vill-Gaugachhi, P.s. Manihari Dist. Katihar.

..... Petitioners.

Versus

1. The State of Bihar
2. The Director of Consolidation, Bihar Patna
3. Kumari Punam Devi D/o late Krishnand Singh W/o Sri Madan Mohan Singh I.A.S. resident of village Rahmatpur, P.O. Asarganj, P.S.Tarapur, Dist. Munger (Monghyr)
4. Manti Devi (deceased) W/o late Krishnand Singh at present R/o vill. Dilarpur, P.S. Maniyari Dist. Katihar.
5. Chaursheela Devi D/o late Tej Narain Singh resident of vill Guagachhi, P.S.Manihari, Dist. Katihar.

..... Respondents/opp.parties.

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Singh

For the Respondent/s : Mr. Ritesh Kumar Sc-33

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL

ORAL ORDER

3 16-09-2015

Re. I.A. No. 6529 of 2015

This application seeks deletion of the name of petitioner no.1 (Arun Kumar Singh) as well as petitioner no.6 Henarani Devi who had died prior to the dismissal of the writ petition for want of prosecution.

The heirs and legal representatives of petitioner no.1 have been mentioned in para-3. The 'vakalatnama' on their

behalf has been filed.

The application also seeks deletion of the name of petitioner no.6, Henarani Devi who died on 21.6.2012 leaving behind her heirs and legal representatives who are already on record as petitioner nos. 2 and 3. Respondent no.4 (Manti Devi) is also said to have died on 12.6.2012 leaving behind her heirs who is already on record as respondent no.3.

Considering the averments made in the application and the submissions made in support thereof the application is allowed. Let the names of petitioner nos.1, 6 and respondent no.4 be deleted from the array of parties and in place of petitioner no.1 his heirs and legal representatives set out in para 3 of the application shall be substituted.

I.A. No.6529 of 2015 stands disposed of.

I have heard the petitioners as well as the State on the restoration application. No one has appeared on behalf of the private respondents of the writ petition on which the copy of the application was served. The name of the counsel also appears in the cause list.

Having regard to the statements made in the application explaining the circumstances under which the counsel could not appear on the date when the case was called out, this

Court is satisfied that the restoration application merits to be allowed. It is, accordingly, allowed. The order dated 30.4.2015 is recalled and CWJC No. 10884 of 1997 is restored to its original file and number subject to deposit of a sum of Rs. 500/- with the Patna High Court Legal Services Committee and filing receipt thereof within two weeks.

(Kishore Kumar Mandal, J)

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