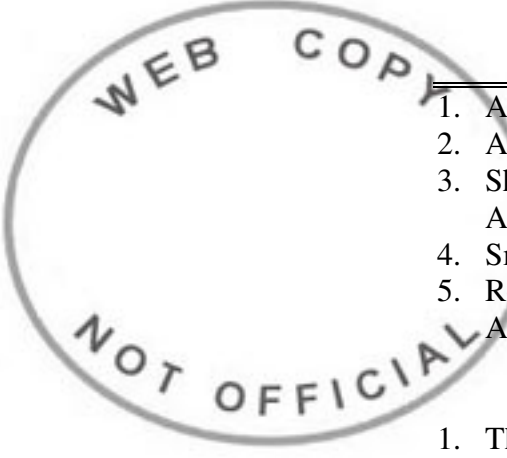


IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.2020 of 2015

In

Civil Writ Jurisdiction Case No. 10885 of 1997

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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
All R/o vill. Gaugachhi, P.S.Manihari Dist. Katihar.

.... Petitioner/s

Versus

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

.... Respondents-opp. parties.

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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. 6527 of 2015

Heard the learned counsel for the petitioners and the
State.

The application seeks substitution of the deceased
petitioner no.1 (Arun Kumar Singh) by his heirs and legal
representatives set out in para 3.

It is stated that petitioner no.1 died on 22.1.2013. The

cause survives and as such the necessity of filing of the substitution petition. It is stated that 'vakalatnama' on behalf of the heirs and legal representatives has already been filed. The application also stated that respondent no.4, (Manti Devi) died on 12.6.2012 leaving behind her heir who is already on record as respondent no.3.

Having heard the parties, the application is allowed. Let the name of petitioner no.1 be deleted and in his place his heirs and legal representatives set out in para 3 be substituted. The name of respondent no.4 shall also be deleted from the array of parties.

I.A. No.6527 of 2015 stands disposed of.

Heard the counsel for the petitioners in support of the restoration application and the State.

Copy of the restoration petition was served on the counsel for the respondents of the connected writ petition inasmuch as name of the counsel also appears in the cause list. No one has, however, appeared on behalf of the private respondent.

Considering the statements made in the restoration application and the submissions made in support thereof, the same is allowed. The order dated 30.04.2015 is recalled and CWJC No.

10885 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 Service Committee and filing receipt thereof within two weeks.

(Kishore Kumar Mandal, J)

Shyam/-

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