

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Revision No.194 of 2011

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Rajendra Chaudhary, Son of Late Jai Govind Choudhary, R/o Village & P.O.-Dhangar Madanpur, P.S.-Parsauni, District-Sitamarhi.

.... Petitioner.

Versus

1. Ram Pyare Ram.
2. Sudan Ram.
3. Julam Ram.
4. Madan Ram.

Sons of Late Mohit Ram.

All Residents of village & P.O.-Dhangar, Madanpur, P.S.- Parsauni, District-Sitamarhi.

5. Most. Jai Sundar Devi, Widow of Late Gudri Ram.
6. Mukesh Kumar.
7. Ramesh Kumar.
8. Umesh Kumar.

Minor Sons of Late Gudri Ram under the guardianship of their mother and well-wisher Most. Jai Sundar Devi O.P. No.5 hereof.

9. Ram Ekbal Mahara, Son of Late Deonandan Ram.
10. Janaki Mahra, Son of Late Rampat Mahra.

All O.P. No.5 to 10 are residents of Village-Goghari, Bishunpur, P.O.-Dhangar Madanpur, P.S.-Parsauni, District-Sitamarhi.

.... Opposite Parties.

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Appearance :

For the Petitioner/s : Mr. Jiwan Prakash Sinha

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE V. NATH
ORAL ORDER

16 07-12-2015

No body appears on behalf of the petitioner.

It transpires from the office note that after death of the opposite party nos. 3 and 10 the interlocutory application (I.A.No.8608/2014) was filed on behalf of the petitioner for substitution of the heirs and legal representatives of those opposite parties. However, the said interlocutory application was dismissed as withdrawn on 18.12.2014. Thereafter, another interlocutory application (I.A.No.5392/2015) was filed praying for substitution

of the heirs and legal representatives of the opposite party nos.3 and 10 but the same was dismissed by order dated 17.07.2015.

No body has appeared on behalf of the petitioner.

It appears from the revision application that the opposite party no.3 was one of the appellants in the court below whereas the opposite party no.10 was one of the respondents in the court below.

In this view of the matter, this revision application cannot proceed in absence of opposite party nos.3 and 10 or their heirs on record and the same is accordingly, dismissed as incompetent.

(V. Nath, J)

Nitesh/-

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