

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3404 of 2011

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Arun Kumar Agrawal, son of Late Laxmi Narayan Agrawal, resident of
Ujiarpur, P.S. Ujiarpur, Distt,- Samastipur

.... Petitioner/s

Versus

1. The State of Bihar
2. The Collector cum District Magistrate, Vaishali at Hazipur.
3. Sub-Divisional Magistrate, Hazipur.
4. District Supply Officer, Vaishali at Hazipur.
5. Block Supply Officer, Sarai, Hazipur.
6. Manager, Food Corporation of India, District Officer, Chapra.
7. Manager (Accounts), Food Corporation of India, District Officer, Chhapra.
8. Godown Manager, Food Corporation of India, Food Supply Division at Hazipur.

.... Respondent/s

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Appearance :

For the Petitioner/s : None.

For the Respondent/s : Mr. Prabhakar Tiwary

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

5 24-06-2015 While passing the order dated 19.05.2015, in view of the averments made in paragraph-6 of the counter-affidavit filed on behalf of the respondent no.6 to 8, it was noticed that the sole petitioner Arun Kumar Agrawal died on 29.03.2014. In view of death of sole petitioner, it was pleaded by the learned counsel appearing on behalf of the respondents that the writ petition has abated as no substitution petition has been filed by the heirs and legal representatives of the deceased writ petitioner.

However, on the request made by the learned counsel appearing on behalf of the petitioner, the matter was adjourned and was ordered to be listed on 24.06.2015 enabling him to file substitution petition by the heirs and legal representatives of the deceased writ petitioner. By the order dated 19.05.2015 itself it was indicated that if no substitution petition is filed by the heirs

and legal representatives of the deceased writ petitioner, within the aforesaid period of time, then on the next date fixed this Court may consider for recording an order of abatement of the writ petition.

When the case has been called out today, none appears on behalf of the petitioner in support of the present writ petition.

Learned counsel appearing on behalf of the respondent no. 6,7 and 8 submits that no substitution petition has been filed by the heirs and legal representatives of the deceased petitioner till date despite indulgence granted by this Court by the aforesaid order dated 19.05.2015.

In above view of matter, particularly, on account of death of sole petitioner, the writ petition has abated and is, accordingly, dismissed.

(Birendra Prasad Verma, J)

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