

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9540 of 2012

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Md.Samim Ansari S/O Late Rayaj Md. Ansari R/O Vill-Chainpur, P.S.-
Chainpur, Distt-Kaimur, Bhabhua

.... Petitioner/s

Versus

1. The State of Bihar through Director , Consolidation Bihar, Patna
2. District Magistrate Bhabhua
3. Haidar Ali Ansari S/O Late Md. Ansari R/O Vill-Chainpur, P.S.-
Chainpura, Distt-Kaimur, Bhabhua
4. Rushtam Ali Ansari S/O Late Md. Ansari R/O Vill-Chainpur, P.S.-
Chainpura, Distt-Kaimur, Bhabhua

.... Respondent/s

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Appearance :

For the Petitioner/s : None

For the Respondent Nos. 1 & 2 : Mr. Manoj Kumar Jha, AC to GP 26

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

4 08-10-2015 Despite repeated calls, none appears on behalf of the petitioner in support of the present writ petition, though the name of the learned counsel is printed in the daily cause list.

This matter was heard earlier on 22.09.2015 when following order was passed:

“Learned counsel appearing on behalf of the petitioner submits that he has been informed that the sole petitioner passed away in the year 2013.

In view of death of the sole petitioner in the year 2013 and in view of the fact that his heirs and legal representatives have not come forward till date for their substitution, the writ petition could be treated to have abated and could have been dismissed on that ground alone. However, as prayer for by learned counsel, the matter is adjourned.

List this case on 7th October, 2015 under the same heading.

If by that time, the appropriate petition is not filed by the heirs of the deceased petitioner, then the Court may consider for

disposal of the writ petition on that date itself.”

Though the sole writ petitioner died during the pendency of the writ petition in the year 2013 itself, yet, despite indulgence granted by this Court by order dated 22.09.2015, heirs and legal representatives of the deceased petitioner have not come forward for their substitution in place of the deceased petitioner and for seeking permission of this Court for prosecuting the litigation.

In above view of the matter, particularly in view of the fact that the sole petitioner is dead, the writ petition has stood abated and it is, accordingly, dismissed.

(Birendra Prasad Verma, J)

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