

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No. 12391 of 2014**

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1. Ashok Kumar Chaudhary
  2. Binod Kumar Chaudhary
  3. Amod Kumar Chaudhary
  4. Pramod Kumar Chaudhary  
All sons of Late Vishwanath Chaudhary
  5. Most. Siyawati Devi, wife of Late Vishwanath Chaudhary,  
All are residents of village and P.O. Jadhua, P.S. and Anchal  
Hajipur, Subdivision Hajipur, Vaishali  
..... Petitioners

Versus

1. Smt. Manju Devi @ Kavi Kanta Chaudhary, W/o Late Rabindra Prasad Chaudhary
2. Manish Kumar, S/o Late Rabindra Pd. Chaudhary
3. Ram Chandra Chaudhary
4. Shiv Shankar Chaudhary
5. Laxman Chaudhary
6. Rakesh Chaudhary  
All sons of Sundar Chaudhary, Opposite Party No. 1 to 4 are  
residents of Mohalla Ram Bagh Chauri, Ward No. 46, P.O.  
Ramna, Police Station Mithanpura, East Muzaffarpur,  
Muzaffarpur, Defendant No. 5 and 6 are R/o Mohalla  
Pankhatoli, P.S. Kazi Mohammadpur, Muzaffarpur
7. Ram Nandan Chaudhary, S/o Late Muni Lal Chaudhary
8. Reeta Bharti, W/o Late Ashok Kumar Chaudhary
9. Ritesh Anand, S/o Late Ashok Kr. Chaudhary
10. Kiran Kumar Chaudhary, S/o Late Munni Lal Chaudhary, Opposite  
Parties No. 7 to 10 are Resident of Village Chandwara Azad Road, P.O.  
and Police Station Town Muzaffarpur
11. Yogeshwar Rai, S/o Late Ram Lagan Rai, Resident of Jadhua, Police  
Station Town, Sub Division, Hazipur Sadar, Registry Office, Vaishali
12. Shiv Nath Rai, S/o Late Ramjee Rai, Resident of Village Mohalla  
Jadhua Chiknauta, Police Station Town Sub Division and Registri  
Hajipur Sadar, Hajipur
13. Kamla Devi, W/o Late Rajeshwar Chaudhary, Resident of Mohalla  
Pankhatoli, Police Station Kazi Mohammadpur, East Muzaffarpur
14. State of Bihar through Collector, Bihar, Patna  
..... Respondents

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**Appearance :**

For the Petitioners : Mr. Ashok Kumar Sinha, Sr. Advocate  
For the Respondents : Mr. Ram Vinay Prasad Singh, A.C. to G.A.-XII

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**CORAM: HONOURABLE MR. JUSTICE V. NATH**  
**ORAL ORDER**

2    29-08-2016

Mr. Ashok Kumar Sinha, learned Senior Counsel for

the petitioners prays to delete respondent no. 14, State of Bihar as

party-respondent in this application.

Learned counsel for the State-respondent is present.

Mr. Sinha, the learned Senior Counsel appearing for the petitioners has pressed the interlocutory application (I.A. No. 12391 of 2014) and has prayed that the petitioners may be permitted to expunge the name of deceased-respondent no. 13 Kamla Devi from the application. As prayed for, the respondent no. 14 stands deleted from the application.

As prayed for, the petitioners are permitted to expunge the name of respondent no. 13, Kamla Devi from the application at the risk of the petitioners.

Mr. Ashok Kumar Sinha, the learned Senior Counsel appearing for the petitioners, after some arguments, has sought permission to withdraw the application with liberty to the petitioners to seek the remedy available to them against the impugned order in accordance with law.

Permission is accorded.

Accordingly, the application is dismissed as withdrawn with the aforesaid liberty.

**(V. Nath, J.)**

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