

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13684 of 2013

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1. Arbind Giri son of late Raghaw Giri
2. Munna Giri son of late Raghaw Giri,
3. Anup Giri Son Of Raghaw Giri, all the Residents Of Village- Yadopur,
P.O. And P.S. Yadopur, District- Gopalganj

.... Petitioner/s

Versus

1. Achhelal Sah Son Of Late Jangi Sah Resident Of Village- Yadopur, P.O.
And P.S. Yadopur, District- Gopalganj
2. Tarkeshwar Sah Son Of Late Achhelal Sah Resident Of Village-
Yadopur, P.O. And P.S. Yadopur, District- Gopalganj
3. Raspati Sah Son Of Late Achhelal Sah Resident Of Village- Yadopur,
P.O. And P.S. Yadopur, District- Gopalganj
4. Kuber Sah Son Of Late Achhelal Sah Resident Of Village- Yadopur, P.O.
And P.S. Yadopur, District- Gopalganj
5. Kuwra Devi W/O Late Achhelal Sah Resident Of Village- Yadopur, P.O.
And P.S. Yadopur, District- Gopalganj
6. Nand Kishore Sah S/O Achhelal Sah Resident Of Village- Yadopur, P.O.
And P.S. Yadopur, District- Gopalganj
7. Kalawati Devi D/O Achhelal Sah Resident Of Village- Yadopur, P.O.
And P.S. Yadopur, District- Gopalganj
8. Girja Devi D/O Achhelal Sah Resident Of Village- Yadopur, P.O. And
P.S. Yadopur, District- Gopalganj
9. Sheela Devi D/O Achhelal Sah Resident Of Village- Yadopur, P.O. And
P.S. Yadopur, District- Gopalganj

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Harendra Prasad, Advocate
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

2 03-10-2016 Learned counsel for the petitioner has submitted that

on account of death of petitioner no.1, Raghaw Giri, his heirs are

to be substituted and for that, I.A. No.8112/2013 has been filed.

Learned counsel for the respondents fairly submits that

the heirs have already been substituted before the learned lower

court.

Consequent thereupon, petitioner no.1 is directed to be substituted by his heirs so detailed under para-3 of the petition. That being so, I.A. No.8112/2013 is allowed.

Heard learned counsel for the petitioners as well as learned counsel for the respondents.

Learned counsel for the respondents fairly submitted that the order impugned happens to be contrary to the spirit of law.

Accordingly, the order impugned is set aside. Petition is allowed.

It will be opened to the respondents/plaintiffs to take proper recourse in accordance with law.

(Aditya Kumar Trivedi, J)

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