

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12406 of 2000

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Rameshwar Mandal son of Late Bhochai Das, resident of village Lokhara,
Police Station Palasi, old District Purnia, present District Araria

.... Petitioner/s

Versus

1. The State of Bihar
2. The Sub-divisional Officer, Araria
3. The Circle Officer, Palasi
4. Chulhai Mandal son of Late Agamlal Mandal, resident of village
Dhangama, Police Station Palasi, old District Purnea, new District
Araria
5. Tetri Devi wife of Mansu Mandal, daughter of Late Bechan Mandal,
resident of village Lakhara, Police Station Palasi, District Araria
6. Jhatar Lal Mandal son of Late Bechan Mandal, resident of village
Lakhara, Police Station Palasi, District Araria

.... Respondent/s

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Appearance :

For the Petitioner/s : None

For the Respondent Nos. 1 to 3 : None

For the Respondent No.6 : Mr.Sarangdhar Jha, Advocate

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

9 05-07-2016

From perusal of the office note dated 06.07.2015 it appears that on account of non-compliance of the court's peremptory order dated 09.09.2005, the present writ petition stood abated as against the deceased respondent no.4 Chulhai Mandal as also his heirs and legal representatives.

None appears on behalf of the petitioner in support of the present writ petition. The learned counsel appearing on behalf of the respondent no.6 submits that the respondent no.4 died much earlier and therefore, by order dated 09.09.2005, three weeks' time was granted to the learned counsel for the petitioner to file an appropriate petition seeking substitution of deceased respondent no.4, but till date no such petition has been filed. It is also pointed out that respondent no.4 is one of the contesting respondents in the present writ petition.

In above view of the matter, it is apparent that the present matter has become incompetent and cannot proceed further. Accordingly, the writ petition as a whole is dismissed.

(Birendra Prasad Verma, J)

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