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.... Petitioners.

1. The State Of Bihar.
2. The District Magistrate, Aurangabad.
3. The Land Execution Officer, Aurangabad
4. Awadhesh Singh S/O Late Ram Nandan Singh R/O Village- Jasoia, P.O+ P.S+ District- Aurangabad.

Appearance :

For the Respondent/s : Mr. Jaishankar Barnwal

ORAL JUDGMENT

Heard Mr. Pandey, the learned counsel

The assail in the present application is the order passed by the executing court below rejecting the prayer of the petitioner for addition of her name in the decree as plaintiff. It is the case of the petitioner that she alongwith the decree-holder were the heirs and legal representatives of the deceased Ram Nandan Singh and therefore she was also entitled to have a share in the money to be paid in the land acquisition proceeding by the State. The learned court below by the impugned order rejected the

prayer of the petitioner to be added as a plaintiff-decree holder at the stage of execution.

During the course of submissions, the fact stands admitted that the petitioner has filed Partition Suit No.01/2009 against the respondent no.4 claiming her share in the property left by the father. The respondent no.4 has also submitted that the entire compensation money has now been received by the respondent no.4 and the execution case has thus been disposed of.

In this backdrop, this Court does not find any illegality or irregularity in the impugned order to interdict the same.

The writ application is, accordingly, dismissed with liberty to the petitioner to pursue her rights in the pending partition suit.

(V. Nath, J)

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