

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.13027 of 2013

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HIRA PRASAD SINGH, SON OF LATE DAYA NAND SINGH, RESIDENT OF
VILLAGE- PIPARIYA, P.S.- PIPARIYA, DISTRICT- LAKHISARAI

.... PETITIONER/S

VERSUS

1. SMT. MALTI DEVI, WIFE OF AMARNATH SINGH, RESIDENT OF MOHALLA- BAKHTIYARPUR, P.S.- BAKHTIYARPUR, DISTRICT- PATNA, AT PRESENT RESIDING AT VILLAGE- PIPARIA, P.O. & P.S. PIPARIA, DISTRICT- LAKHISARAI
2. AMARNATH SINGH, SON OF LATE SHEODANI PRASAD SINGH, RESIDENT OF MOHALLA- BAKHTIYARPUR, P.S.- BAKHTIYARPUR, DISTRICT- PATNA, AT PRESENT RESIDING AT VILLAGE- PIPARIA, P.O. & P.S. PIPARIA, DISTRICT- LAKHISARAI
3. MEENA DEVI, WIFE OF LATE ARJUN SINGH, RESIDENT OF VILLAGE- PIPARIA, P.O. & P.S.- PIPARIA, DISTRICT- LAKHISARAI, PRESENTLY RESIDING IN GANDHI TOLA NEAR BEGUSARAI BUS STAND AND BEHIIND SOMNATH HOTEL IN BEGUSARAI, DISTRICT- BEGUSARAI
4. ABANISH KUMAR SON OF LATE ARJUN SINGH RESIDENT OF VILLAGE- PIPARIA, P.O. & P.S.- PIPARIA, DISTRICT- LAKHISARAI, PRESENTLY RESIDING IN GANDHI TOLA NEAR BEGUSARAI BUS STAND AND BEHIIND SOMNATH HOTEL IN BEGUSARAI, DISTRICT- BEGUSARAI
5. SAUMYA KUMARI DAUGHTER OF LATE ARJUN SINGH, WIFE OF PINTU SINGH, RESIDENT OF VILLAGE & P.O. MAHENDRAPUR, P.S. HATHIDAH, DISTRICT- PATNA
6. JAINI KUMARI DAUGHTER OF LATE ARJUN SINGH, WIFE OF SANJEEV KUMAR, RESIDENT OF VILLAGE- MANJOSH DIH, P.O. & P.S. BACHHWARA, DISTRICT- BEGUSARAI
7. ANCHAL ADHIKARI, BARAHIYA, AT PRESENT P.O. & P.S. PIPARIA, DISTRICT- LAKHISARAI REPRESENTING THE STATE OF BIHAR

.... RESPONDENT/S

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Appearance :

For the Petitioner/s : Mr. MANOJ KUMAR NO.-1
For the Respondent/s : Mr. VINAY KRITI SINGH

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL JUDGMENT

Date: 29-09-2016

Heard learned counsel for the petitioner and the learned
counsel for the respondents.

2. This application, filed on behalf of the petitioner, under Article 227 of the Constitution of India, is directed against the order dated 22.04.2013 passed in Title Suit No. 47 of 2009, whereby the learned Sub-Judge-I, Lakhisarai, allowed the application of the plaintiff/ respondent Ist Set, under Order XXII Rule 4(1) of the Code of Civil Procedure and Section 5 of the Limitation Act, to delete the name of the defendant no.1 due to his death and to substitute his legal heirs on payment of cost of Rs.500/-

3. I find no illegality in the impugned order amounting to an abuse of the process of the court for interference in an extraordinary jurisdiction under Article 227 of the Constitution of India.

4. Accordingly, this writ application stand dismissed.

(Rajendra Kumar Mishra, J)

Bhardwaj/-

AFR/NAFR	
CAV DATE	
Uploading Date	01.10.2016
Transmission Date	