

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.24713 of 2013

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Pravin Kumar Verma son of Late Pashupati Nath Verma, resident of mohalla-Club Road, Kalyani, PS-Mithanpura, District-Muzaffarpur.

.... Petitioner/s

Versus

Rajesh Kumar Gupta son of Late Ram Kumar Gupta, resident of mohalla-Club Road, Kalyani, PO+HPO+PS-Mithanpura, District-Muzaffarpur and others.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Prasad, Advocate

For the Respondent/s

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR

ORAL JUDGMENT

Date: 05-12-2017

This application has been filed by the defendant of Title Suit No. 107 of 2003 pending in the court of learned Sub-Judge-V, Muzaffarpur for setting aside the order dated 21st August 2013.

2. Heard learned counsels for the petitioner as well as the respondents.

3. It appears that the some of the respondents are heirs of one Ram Kumar Gupta who had filed an Eviction Suit No. 3 of 2003 for eviction of the petitioner. During the pendency of the suit, the sole petitioner died. The legal heirs of plaintiff filed a petition before the learned Court below for expunging the name of plaintiff and substituting them as plaintiff. The only objection raised against the impugned order is that the petition filed by the petitioner was not duly verified. I find that the said petition was filed by heirs, which is duly



supported with an affidavit.

4. In the facts and circumstances, I do not find any merit in this application which is devoid of merit and the same is accordingly dismissed.

(Sanjay Kumar, J)

Mahesh/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	11.12.2017
Transmission Date	

