

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.18946 of 2013

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Ram Peyari Devi Wife of Late Kapildev Singh, resident of village- Mahrogria,
P.O.- Sanda, P.S.- Islampur, District- Nalanda.

.... Petitioner/s

Versus

1. Gita Devi Wife of Late Kapildev Singh, resident of village- Mahrogria, P.O.-
Sanda, P.S.- Islampur, District- Nalanda.
2. Dhiraj Kumar Son of Late Kapildev Singh, resident of village- Mahrogria, P.O.-
Sanda, P.S.- Islampur, District- Nalanda.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Krishna Murari Rawt, Adv.
For the Respondent/s :

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR

ORAL JUDGMENT

Date: 02-04-2018

Heard learned counsel for the petitioner and perused the
record.

2. It appears that as per impugned order the petitioner, who
is petitioner of Succession Case No. 17 of 2012 pending before the
District Judge, Nalanda, filed this application for setting aside the
order dated 15.04.2013 whereby and whereunder the learned District
Judge impleaded 2nd wife and son of deceased as party to the case.

3. After hearing the learned counsel for the petitioner and
perusing the record, I find that the petitioner is widow of Kapildev
Singh who died on 5th December 2010 leaving behind the petitioner
and a daughter Girija Devi. The daughter of deceased has not been
impleaded as party to the succession case. The respondent Gita Devi



claims to be 2nd wife of deceased Kapildev Singh. The respondents being 2nd wife and son of deceased filed intervenor petition for impleading them as party to the suit. The order impleading the intervenor as party to the case does not suffer any illegality in view of the fact that the Succession Court is required to issue Succession Certificate after ascertaining as to who are the real successors to get the Succession Certificate.

4. In view of above facts, I do not find any illegality in the order allowing the intervenor petition. This application is devoid of merit and is accordingly dismissed. Considering the nature of case, the court below is directed to expedite the disposal of succession case at the earliest.

(Sanjay Kumar, J)

Mahesh/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	6/4/2018
Transmission Date	

