

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.890 of 2017

In

Civil Writ Jurisdiction Case No. 4776 of 1988

- =====
1. Smt. Usha Rani, wife of late Birendra Prasad, the elder son of Late Satish Prasad Sah
 2. Smt. Ruchika Prasad Sah, daughter of late Birendra Prasad
 3. Rohit Kumar
 4. Rahul Kumar @ Rahul Shah, both sons of late Birendra Prasad and grandsons of late Satish Prasad Sah
 5. Shailesh Prasad, son of late Satish Prasad Sah
All resident of village Lohandi, P.S. Itarhi, District Buxar at present residing at F/82, P.C.Colony, Kankarbagh, P.S. Kankarbagh, District Patna
 6. Smt. Shobha Jaiswal, wife of late Chandra Shekhar Jaiswal and daughter of late Satish Prasad Sah, resident of village and P.S. Ghorasahan, District East Champaran at Motihari
 7. Smt. Sheela Gupta wife of Sri Arun Kumar and Daughter of late Satish Prasad Sah, resident of Mohalla Jaitpura, House No. J-23/16, P.S. and P.O. Jaitpura, District Varanasi
 8. Smt. Shashi Jaiswal, wife of Sri Santosh Jaiswal and daughter of late Satish Prasad Sah, resident of Kailash Apartment, Karl Marx Sarani, Khiderpur, P.S. and P.O. Khiderpur, Kolkata (W.B.)

.... Appellants

Versus

1. Hari Shankar Choudhary, (expunged and substituted vide order dated 27.7.2010)
 - (i) Kameshwar Choudhary, son of late Jai Shankar Choudhary
 2. Lalggi Gupta, son of late Bhagwati Kanu
 3. Bharat Gupta @ Shara Sah, son of late Jian Kanu
 4. Lakshman Chaudhary, son of Chhaku Choudhary
 5. Budhu Ram Singh (expunged and substituted vide order dated 27.7.2010)
 - (i) Birendra Yadav
 - (ii) Jitendra Yadav
 - (iii) Prakash Yadav
 - (iv) Roshan Yadav, All 5(i) to 5(iv) are sons of late Budhu Ram Singh
6. Dharmdeo Rai, son of late Ram Das Rai
7. Jagdish Pandey, son of late Raghubir Pandey
8. Ram Lakshamn Ram, son of Ram Bachan Ram, all resident of village Jamuawan, P.S. Itarhi, District Bhojpur
9. The Sub-divisional Officer, Buxar

.... Respondents

=====

Appearance :

For the Appellant/s : Mr. Upendra Prasad, Adv.
Ms. Veena Kumari Jaiswal, Adv.
For the Respondent/s : Mr. Md.Khurshid Alam, AAG12

=====

CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
and



**HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE JYOTI SARAN)

8 20-08-2018

I.A.No. 5260/2017

The matter is posted for consideration on the limitation petition.

Mr. Upendra Prasad, learned counsel, appears for the appellants. The respondents are represented by Mr. Fakruddin Ali Ahmad, learned AC to AAG-12.

After some arguments Mr. Upendra Prasad, learned counsel for the appellants, appreciating the import of the order passed by the learned Single Judge impugned in this appeal, prays for withdrawal of the appeal to enable the appellants, who are the legal heirs of the deceased writ petitioner, to take recourse to such remedy as is available to them in law.

Permission is granted. The appeal is dismissed as withdrawn.

Interlocutory applications are disposed of.

(Jyoti Saran, J)

(Chakradhari Sharan Singh, J)

Surendra/-

U			
---	--	--	--

