

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No. 4366 of 2016

Along with

Interlocutory Application No. 1 of 2019

Arising out of

Civil Writ Jurisdiction Case No. 11571 of 2008

Syed Ahmad (deceased- substituted vide order dated 22.08.2019).

(i) Mrs. Shamima Begum aged about 86 years widow of Syed Ahmad Noida, Gautam Nagar, U.P. (Female).

(ii) Failatun Nisa aged about 60 years wife of S.L.A. Rizvi, Resident of Idgah, P.S. Jiwaji Gunj, Lashker, District- Gwalior (Female).

(iii) Mrs. Naheed Jafri aged about 56 years wife of Dr. S.A. Jafri resident of C-202, Nirab Eden Park, P.S. Indra Puram, Gaziabad, U.P. (Female).

(iv) Mrs. Afroz Ahmad aged about 50 years wife of Dr. M. Abbas resident of Gulnar Apartment, B-1, First floor, Resaldar Nagar, P.S. Doranda, Ranchi-Jharkhand (Female).

(v) Mr. Hasan Ahmad aged about 47 years, resident of F-82, Section-56, P.S. Sec-57 Noida, Gautam Budh Nagar (Male).

(vi) Rumaisha Ahmad @ Rumaisha Hasan aged about 45 years, resident of Pathan Toli, Friends Colony, P.S. Alamganj, Patna-800007 (Female).

... .. Petitioner/s

Versus

1. Mr. Pandit Palande, the Vice Chancellor, B. R. A. Bihar University.
2. Dr. Ratnesh Mishra, the Registrar, B.R.A Bihar University.
3. Mr. Raj Narain Sinha, the Finance Officer, B.R.A. Bihar University.
4. Mr. Md. Moinuddin, the Finance Advisor, B.R.A. Bihar University.
5. Mr. Harikesh Singh, V.C. J.P. University Chapra.
6. Registrar, J.P. University Chapra.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Syed Firoz Raza, Advocate
For the J. P. University	:	Mr. Nagendra Kumar Singh, Advocate
For the BRA Bihar University	:	Mr. Indrajeet Kumar and Mr. Sandeep Kumar, Advocates

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL JUDGMENT

Date : 22-08-2019

Heard learned counsel for the petitioners; learned counsel for the JP University and learned counsel for the BRA Bihar University.



Re.: Interlocutory Application No. 1 of 2019

2. The present Interlocutory Application has been filed on behalf of the petitioners by his heirs for substitution.

3. Learned counsel for the petitioners submitted that the sole petitioner died on 22.04.2018 and is survived by his widow and children whose details are enumerated in paragraph no. 2 of the Interlocutory Application.

4. Having considered the matter, the Interlocutory Application is allowed. Let the persons whose details are given in paragraph no. 2 of the Interlocutory Application be substituted in place of the sole petitioner.

5. For the sake of convenience, let necessary correction be made in the cause title of the writ application by learned counsel for the petitioners during the course of the day.

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6. At the very outset, learned counsel for JP University submitted that as per the claim of the petitioners with regard to his remaining terminal benefits, he has brought with him cheque in his name for an amount of Rs. 1,36,373/-.

7. At this juncture, learned counsel for the petitioners pointed out that as he is no more alive and has been substituted, as per the agreement among the heirs, the cheque may now be made



in the name of the wife of the petitioners namely, Mrs. Shamima Begum.

8. Learned counsel for the JP University readily agreed to get a fresh cheque in the name of Mrs. Shamima Begum.

9. In view thereof, the application stands disposed off with the observation that a fresh cheque of the same amount shall be handed over to learned counsel for the petitioners by learned counsel for the JP University within one week from today.

(Ahsanuddin Amanullah, J.)

P. Kumar

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