

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.950 of 2015

In

FIRST APPEAL No.473 of 1991

-
1. Bijoy Kumar Son of Late Ram Narayan Prasad,
 2. Ajay Kumar Son of Late Ram Narayan Prasad,
 3. Muni Kumari Daughter of Late Ram Narayan Prasad
 4. Madhuri Kumari Daughter of Late Ram Narayan Prasad All resident of Marwari Bazar, Main Road, District - Sitamarhi.

... .. Petitioner/s

Versus

1. Draupati Devi and others Wife of Sri Naresh Prasad Bhagat and Daughter of Late Yamuna Prasad Sah, Resident of Village and P.O. Sangrampur, District - Munger.
2. Mohan Prasad, Son of Late Yamuna Prasad Sah,
3. Ram Baboo Prasad Son of Late Yamuna Prasad Sah
4. Shashi Ranjan Prasad, Son of Ram Baboo Prasad Minor
5. Pankaj Kumar Son of Ram Baboo Prasad, Minor Opp. Party No. 4 and 5 are under the guardianship of his father Sri Ram Baboo Prasad All resident of Marwari Bazar, P.S. and District - Sitamarhi

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramesh Chandra Sinha Advocate

For the Opposite Party/s : Mr. Prasoon Sinha

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR

ORAL ORDER

5 12-08-2022

Re:- I.A. No. 01 of 2021

This Interlocutory Application has been filed on behalf of the proposed appellants – petitioners for substitution of heirs and legal representatives of petitioner no. 3 (Muni Kumari) who died on 24.05.2005 leaving behind her heirs and legal representatives whose name is mentioned in paragraph no. 3 of this application.

This Interlocutory Application is allowed. The heirs and legal representatives of petitioner no. 3 (Muni Kumari) as mentioned in paragraph no. 3 of this Interlocutory Application



be substituted in her place and the name of petitioner no. 3 be expunged from the array of the parties.

Re:- I.A. No. 2 of 2021

This Interlocutory Application has been filed for substitution of heirs and legal representative of petitioner no.1 (Bijoy Kumar) who has died on 10.01.2016 leaving behind his heirs and legal representatives whose name is mentioned in I.A. No. 2823 of 2016 in MJC No. 1396 of 2015, which was allowed vide order dated 21.02.2018.

This Interlocutory Application is allowed. The heirs and legal representatives of petitioner no.1 be substituted in his place and the name of petitioner no. 1 be expunged from the array of the parties.

Re:- MJC No. 950 of 2015

Heard the parties.

This application has been filed for restoration of First Appeal No. 473 of 1991, which was dismissed for non-prosecution vide order dated 05.02.2015.

For the reasons mentioned in this application, it is allowed and First Appeal No. 473 of 1991 is restored to its original file.

(Sandeep Kumar, J)

Shishir/-

U			
---	--	--	--

