

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.215 of 2022

1. Ram Jee Prasad Singh Son of Late Saryug Singh Resident of Pratap Pur, P.O. Dhandh, P.S. Jamui, District Jamui.
2. Diwakar Prasad Singh Son of Late Bhuneshwari Prasad Singh Resident of Pratap Pur, P.O. Dhandh, P.S. Jamui, District Jamui.
3. Sipin Kumar Singh Son of Late Bhuneshwari Prasad Singh Resident of Pratap Pur, P.O. Dhandh, P.S. Jamui, District Jamui.
4. Prabhakar Kumar Singh Son of Late Bhuneshwari Prasad Singh Resident of Pratap Pur, P.O. Dhandh, P.S. Jamui, District Jamui.
5. Manju Kumari Daughter of Late Bhuneshwari Prasad Singh Resident of Pratap Pur, P.O. Dhandh, P.S. Jamui, District Jamui.
6. Bimla Devi Wife of Late Bhuneshwari Prasad Singh Resident of Pratap Pur, P.O. Dhandh, P.S. Jamui, District Jamui.
7. Baby Devi Wife of Late Subhash Prasad Singh Resident of Pratap Pur, P.O. Dhandh, P.S. Jamui, District Jamui.
8. Rajiv Kumar Son of Late Subhash Prasad Singh Resident of Pratap Pur, P.O. Dhandh, P.S. Jamui, District Jamui.
9. Sanjeev Kumar Son of Late Subhash Prasad Singh Resident of Pratap Pur, P.O. Dhandh, P.S. Jamui, District Jamui.
10. Puja Kumari Daughter of Late Subhash Prasad Singh Resident of Pratap Pur, P.O. Dhandh, P.S. Jamui, District Jamui.
11. Asha Devi Wife of Ramjee Prasad Singh Resident of Pratap Pur, P.O. Dhandh, P.S. Jamui, District Jamui.

... .. Petitioner/s

Versus

1. Yugal Kishore Singh Son of Late Thakur Vijay Singh Resident of Village Lanka Colony, Khagaul, Patna.
2. Arvind Kumar Singh Son of Yugal Kishore Singh Resident of Village Lanka Colony, Khagaul, Patna.
3. Arun Kuamr Singh Son of Yugal Kishore Singh Resident of Village Lanka Colony, Khagaul, Patna.
4. Sunita Devi Daughter of Yugal Kishore Singh Resident of Village Lanka Colony, Khagaul, Patna.
5. Anita Singh Daughter of Yugal Kishore Singh Resident of Village Lanka Colony, Khagaul, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha, Advocate
For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA



ORAL ORDER

2 30-06-2022 Heard learned counsel for the parties.

By the impugned order, at the stage of preparation of final decree, the legal heirs of the plaintiffs has been substituted on an application for substitution along with condonation of delay filed by the heirs of the plaintiffs has been challenged by way of filing the present application by the defendants.

Learned counsel for the defendants submits that no prayer for setting aside the abatement was made and the learned court below has allowed the heirs of the plaintiffs to be substituted at the stage of final decree of the suit.

I have gone through the impugned order and perused the materials available on record. It appears that the sole plaintiff died in the year 2019 and just after coming to know about the death, a petition for substitution as well condonation of delay was filed and the learned court below after taking into consideration the fact, has allowed the substitution petition.

Considering the aforesaid facts and circumstances of the case, I do not find any infirmity and material



irregularity in the impugned order.

Accordingly, this application stands dismissed.

(Anil Kumar Sinha, J)

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