

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CIVIL MISCELLANEOUS JURISDICTION No.1131 of 2018**

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Smt. Nirmala Devi W/o Ganesh Prasad Gupta Resident of Village-  
Mansurchak, P.S. Mansurchak, District- Begusarai.

... .. Petitioner/s

Versus

1. Ranjeet Kumar Mahto S/o Parmeshwari Mahto Resident of Village-  
Mansoorchak, P.S. Mansoorchak, District- Begusarai- (Judgement Holder)
2. Arvind Kumar Gupta S/o Late Bangali Lal (adopted) Resident of Village-  
Mansoorchak, P.S. Mansoorchak, District- Begusarai at present C/o Pawan  
Medical Store, Main Market, P.S.- Bakhtiarpur, District- Patna. (Judgement  
Debator)

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Dharmesh Kumar, Adv  
For the Respondent/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

4      01-09-2022

**I.A. No.01/2022**

Learned counsel for the petitioner submits that during pendency of this application Respondent No.1 has died on 23.10.2020 and he has filed the substitution petition *vide* I.A. No. 01/2022 for substitution of the name of the legal heirs of the deceased details of whom is mentioned in paragraph-3 of the Interlocutory Application.

After having heard learned counsel for the petitioner and taking into consideration the nature of prayer, the substitution petition (I.A. No. 01/2022) is allowed.

Let the name of Respondent no.1 be expunged and the name of his heirs as mentioned in paragraph-3 of the said petition be substituted as respondents.



After some arguments, learned counsel for the petitioner seeks permission to withdraw this application with liberty to pursue his remedy in a petition filed by petitioner before learned Executing Court under Order XXI Rule 99.

Permission is granted.

The applications stands dismissed as withdrawn with the liberty aforesaid.

It is expected that the petition filed by the petitioner shall be disposed as expeditiously as possible taking into consideration that the petitioner is a lady and she has been pursuing her remedy since 2018.

**(Anil Kumar Sinha, J)**

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