

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.58 of 2022

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Ram Gopal Jain, aged about 75 years, Male, son of Late Jay Dayal Jain,
Resident of Village- Daudpur Kothi, P.S. Brahmpura, District-Muzaffarpur
... .. Petitioner/s

Versus

1. Dharmendra Kumar
2. Rakesh Kumar
3. Rajesh Kumar,

All the above are son of Late Ram Darshan Ram, Resident of Mohalla-
Kanjarpatti @ Teliapatti Sadar Motihari Nagar Palika, P.S. Town-District-East
Champaran, Motihari.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vinay Ranjan, Advocate
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 05-07-2023 Re.: Interlocutory Application No. 1 of 2022

This application has been filed for substituting the
heirs/ legal representatives of respondent no. 3.

Learned counsel for the petitioner submits that
inadvertently the name of respondent no. 3 has been inserted in
the memo of parties as he was already dead and it is in the
interest of justice that the name of his legal heirs be substituted
in his place in this application.

The application is supported with the affidavit.

Having heard learned counsel for the petitioner and
considering the averments made in the application, I.A. No. 1 of
2022 is allowed.

Let the name of heirs/ legal representatives of



respondent no. 3 be substituted in his place after deleting his name from the cause title.

Re.: Civil Miscellaneous Application No. 58 of 2022

Heard learned counsel for the parties.

Learned counsel for the petitioner submits that his appeal being Title Appeal No. 72 of 2019 is pending before the learned Lower Appellate Court and this case may be disposed of with the observation of this Court for early disposal of the said appeal.

In view of the submission of learned counsel for the petitioner, this case is disposed of with the direction to the learned Lower Appellate Court to dispose of Title Appeal No. 72 of 2019 pending before the learned Additional District Judge, XVII, East Champaran, Motihari expeditiously.

Both the parties are directed to cooperate with the learned Appellate Court for early disposal of the said appeal and the learned Appellate Court shall not give unnecessary adjournment to any party.

(Sunil Dutta Mishra, J)

P. Kumar

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