

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.397 of 2021

In
Civil Writ Jurisdiction Case No.2190 of 2020

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1. The Bihar State Housing Board through its Managing Director.
 2. The Managing Director, Bihar State Housing Board, 6 Mangles Road, Patna.
 3. The Estate Officer, Bihar State Housing Board, Patna.
 4. The Revenue Officer, Bihar State Housing Board, 6 Mangles Road, Patna.

... .. Appellant/s

Versus

Birendra Kumar Sinha Son of Late Akhileshwar Kumar Sinha Resident of M I G House No. 149, Lohia Nagar, P.S.- Kankarbagh, Patna, 800020, District Patna.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Binita Singh
For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

6 22-07-2025 Heard IA 04 of 2025 for substitution insofar as sole respondent concerned. We have noticed that sole Respondent Birendra Kumar Sinha has died on 12.08.2021 whereas the substitution has been filed on 16.07.2025.

2. Having regard to the date of death of the sole respondent Birendra Kumar Sinha on 12.08.2021, the present LPA proceedings stands abated after 90 days from the date of



his death. In other words, on or before 12.11.2021, substitution should have been filed. However, substitution has been filed on 16.07.2025 and it is not supported by *Interlocutory Application* for condonation of delay in filing substitution and so also *IA* to set aside abatement proceedings. In the absence of these material information, the Appellants have not made out a case.

3. Hence, the present LPA No. 397 of 2021 stands dismissed as abated.

(P. B. Bajanthri, J)

(S. B. Pd. Singh, J)

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