

(2022) 08 JH CK 0044

In the Jharkhand High Court

Case No : I.A. No. 7404, 7406 Of 2022, First Appeal No. 40, 41 Of 2007

Mohan Prasad Singh And Another

APPELLANT

Vs

Bihar/The State Of Jharkhand And Others

RESPONDENT

Date of Decision : 18-08-2022

Acts Referred:

Citation : (2022) 08 JH CK 0044

Hon'ble Judges : Anubha Rawat Choudhary, J

Bench : Single Bench

Advocate : K.K. Mishra, Shivani Kapoor

Judgement

Anubha Rawat Choudhary, J

I.A. No. 7404 of 2022 in F.A. 41 of 2007

1. Learned counsel for the parties are present.
2. Learned counsel for the appellant submits that appellant No. 1 (a) has expired during the pendency of the case on 24.06.2022 and therefore this petition has been filed for deleting his name in the cause title. He also submits that only son of the appellant No. 1(a) is already on record as appellant No. 1(b).
3. The learned counsel for the respondents has no objection to the prayer made.
4. As appellant No. 1 (a) has expired, his name is directed to be deleted in red ink during the course of the day. As per the interlocutory application, the only son of appellant No. 1(a), is already on record as appellant No. 1(b).
5. I.A. No. 7404 of 2022 stands disposed of.
6. I.A. No. 7406 of 2022 in F.A. No. 40 of 2007
7. Learned counsel for the appellant submits that present interlocutory application has been filed for deleting the name of appellant namely Pramina Devi who has expired on 01.11.2020. Learned counsel submits that the details of

the legal heirs and successors has been mentioned in para 5 of the interlocutory application. He has also filed Vakalatnama on behalf of proposed legal heirs to be substituted, along with the interlocutory application. The learned counsel submits that before the Hon'ble Supreme Court also, the appellant namely Pramina Devi was represented through his legal heirs as is apparent from the judgment passed by the Hon'ble Supreme Court.

8. Learned counsel for the respondents has no objection to the prayer made.

9. After hearing the learned counsel for the parties and considering the facts and circumstances of this case, I.A. No. 7406 of 2022 is hereby disposed of and name of Pramina Devi ,who has expired on 01.11.2020, is directed to be deleted from the cause title and in her place, the name of the persons whose details have been mentioned in para 5 of the interlocutory application are permitted to be inserted. The counsel for the appellant is directed to carry out the necessary corrections in the cause title in red ink during the course of the day.

10. At the request of learned counsel for the parties, post these cases on 25.08.2022 at 2.15 p.m.