

COURT OF SUB-JUDGE, BAKHRI (BEGUSARAI)


Title Suit No.: 159 of 1993

Kewla Devi and others versus Janki Devi and others

21.11.2019 - Today case record is put up for passing an order on the petition dated 22.07.2019 under Order 22, Rule 02 read with Section 151 of C.P.C. filed by the plaintiff. Copy of the same was served to the defendants. Heard both sides and perused the record. After perusal of record it appears that plaintiff submits that defendant no. 20 of this case Bimla Devi, W/o- Late Suresh Sah had died on 16.07.2019 at Gorakhpur and the plaintiff has got knowledge about the death by her son Manish Kumar Sah and all the legal heirs of deceased defendant no. 20 have been already made party in this suit like as defendant no. 17, 18, 19, 21, 22 and 23 and this petition is verified and supported by affidavit as well as the deletion of the name of deceased defendant no. 20 Bimla Devi is highly essential for the natural justice and also prayed to delete the name of the deceased defendant no. 20 Bimla Devi from the plaint. Certain defendants of the suits put no objection on the petition. Hence, in the above mentioned facts and circumstances petition dated 22.07.2019 under Order 22, Rule 02 read with Section 151 of C.P.C. filed by the plaintiff.

Later on.....

Another petition dated 22.07.2019 under Order 22, Rule 01 read with Section 151 of C.P.C. filed by the plaintiff. After perusal of petition it is clear that this petition is completely not required at this stage and also there is no question of abatement by the party (defendant no. 20 Bimla Devi). Since right of sue survives. Hence, the petition dated 22.07.2019 under Order 22, Rule 01 read with Section 151 of C.P.C. filed by the plaintiff having no merit and in result dismissed accordingly. Put on the date 19.12.2019 for the compliance of this order and further proceedings of the court.


Sub-Judge
Bakhri (Begusarai) 21.11.19