

IN THE COURT OF SUB-JUDGE I, JAGDISHPUR, BHOJPUR AT ARA

F.D. Case No. 209/1996
CIS No. 209/1996

Date of Order or Proceeding	Order with the Signature of the Court	Office action taken with
24.06.2023	Plaintiff as well as defendant no. 1 and 2 have filed their hazri. Today case produced for hearing on plaintiff's petition dated 31.05.2023 & 07.06.2023 and defendant's rejoinder dated 07.06.2023. Case called out. On call Ld. Advocate of plaintiff as well as Ld. Advocate of defendant no. 1 and 2 appeared. Heard Ld. Advocate of plaintiff. Ld. Advocate of plaintiff submitted that in the present case, writ has been issued for the preparation of Final Decree and meanwhile defendant no. 4 Ramapati wife of Basudeo Singh has been died on 17.05.2023 and her husband is already party in this case as a defendant no. 3 therefore, prayed for the deleting the name of deceased defendant no. 4. Thereafter Ld. Advocate of plaintiff submitted that defendant no. 1 and 2 opposed the petition vide their rejoinder dated 07.06.2023 in which they have submitted that deceased defendant has also one son namely Dinesh Kumar Singh and three daughters namely Sunita Devi, Mamta Devi and Gudia Devi who have been shown as necessary parties in this case, therefore, plaintiff again filed petition on dated 07.06.2023 for adding the name of son and daughters of deceased defendant no. 4. Ld. Advocate of plaintiff submitted that plaintiff does not have knowledge about the present address of daughters of deceased defendant no. 4 therefore, Ld. Advocate of plaintiff prayed for passing direction to the defendants for providing the present address of the daughters of deceased defendant. Ld. Advocate of defendant no. 1 and 2 opposed the said petition on the ground that earlier plaintiff has not submitted the name of son and daughter of deceased defendant. Heard both sides and perused the case record. From the perusal of case record, it transpires that this case is running for preparation of final decree and meanwhile defendant no. 4 Ramapati Devi has been died. Plaintiff's petition is within time and supported with affidavit. Therefore, considering the above fact and circumstances of the case, petition of plaintiff dated 31.05.2023 as well as 07.06.2023 allowed with direction to the defendant no. 1 and 2 to provide the present address of daughters of deceased defendant no. 4. Thereafter O.C. is directed to delete the name of deceased defendant no. 4 and substitute the name of her legal heirs. Plaintiff is directed to file the requisites of notice as well as registered notice for the appearance of substituted defendant. Put up on 28.06.2023 for appearance. Dictated Sub Judge-I, Jagdishpur, Bhojpur	