

Court of District Judge, Jamui

Title Appeal No. 10/2017

07.05.2022

Attendance has been filed on behalf of the appellant as well as respondents through the lawyer.

Case called out. On call, Ld. Counsel of both sides appeared. Heard Ld. Counsel for the appellant on petition dated 14.06.2021 filed on behalf of appellant.

During the course of hearing on the petition dated 14.06.2021 it has been submitted by the Ld. Counsel of the appellant that appellant Yaduvir Prasad died on 09.05.2021 leaving behind his wife 1.Urmila Devi and his four sons 2.Vinay Kumar Sinha 3.Bipin Kumar Sinha 4. Vinod Kumar Sinha 5.Sanjay Kumar Sinha and his daughter namely Mamta Sinha.

It has been further submitted by Ld. counsel for the appellant that it is necessary to make above said petioners as a party in this appeal in place of appellant. It has been further submitted by the learned counsel for the appellant, after substitution the nature and character of this appeal does not change. The substitution petition has been filed within time from the date of death of appellant.

Ld. Counsel for the respondents didn't oppose the prayer of peition.

Heard, Ld. counsel for the respondents on petiton dated 16.04.2022 filed on behalf of respondents.

During the course of hearing on the petition dated 16.04.2022, it has been submitted by the Ld. counsel for the respondents that Respondent No.01 Thakur Manjhi died on 17.02.2022 leaving behind his wife namely 1. Kari Devi & his two daughter namely 2.Shakuntala Devi 3.Kalo Devi

It has been further submitted by Ld. counsel for the respondents that it is necessary to make above said petioners as a party in this appeal in place of Respondent No. 01Thakur Manjhi. It has been further submitted by

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the learned counsel for the respondents, after substitution the nature and character of this appeal does not change. The substitution petition has been filed within-time.

Ld. Counsel for the appellants appeared but he did not oppose the prayer of petition.

Since, the appellants & Respondent No.01 Thakur Manjhi have died, hence their legal heirs whose names have been mentioned in the petition dated 14.06.2021 and petition dated 16.04.2022 is allowed to be substituted in place of appellants and respondent no. 01 Thakur Manjhi.

Accordingly, the petition dated 14.06.2021 filed on behalf of appellants and petition dated 16.04.2022 filed on behalf of respondents allowed and office is directed to make necessary correction in the memo of appeal.

Put up on 06.06.2022 for filing of requisites of notice.

(Dictated)

District Judge, Jamui