

	<u>Court of the Adll. Distict & Sessions Judge-XI, Vaishali, Hajipur</u> <u>T.A. No. 61/2016</u> Nandu Sah Vs Raj Kumar Sah & Others	
<u>21-03-22</u>	<u>ORDER</u> Parvi has been filed on the behalf of the appellant as well as opposite party to this case. Today one petition u/s 153 of C.P.C. was filed on behalf of the appellant-applicant namely Manoj Kumar @ Chandeshwar Sah. Ld. Counsel for petitioner has submitted inter alia that earlier to this one petition under order 01 rule 10 of C.P.C. was filed to impleade to the Chameli Devi, Chandra Bhushan Prasad Sah, Premlata Devi and Sangita Devi as appellants at the place of appellant no. 01 namely Nandu Sah who has already died on 27-04-2020 living behind his legal heirs mentioned in the foot of the petition. But later on Chameli Devi died so in the ends of justice petition may be allowed so that name of the Chameli Devi may be deleted from the petition filed under order 01 rule 10 of the C.P.C. While other side ld. Counsel for opposite party has stated that if the said petition is allowed then there will be no objection on behalf of opposite party. Hence, in the light of above facts petition filed u/s 153 of the C.P.C. is hereby allowed and appellant-applicant is hereby directed to make essential correction in the desired petition and O.C. is directed that after doing essential correction by the ld. Counsel for appellant-applicant, put the record before this court for hearing on the petition filed under order 01 rule 10 of the C.P.C. Asutosh Rai A.D.J. XI 21-03-2022 Asutosh Rai A.D.J. XI 21-03-2022	

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<u>21-03-22</u>	<u>ORDER</u> Ld. Counsel for both parties appeared. Petition filed under order 01 rule 10 of C.P.C. on the behalf of appellant-applicant was pressed today before this court. Ld. Counsel for appellant has submitted inter alia that appellant no. 01 Nandu Sah died on 27-04-2020 to leaving behind his legal heirs Chameli Devi, Chandra Bhushan Prasad Sah, Premlata Devi and Sangita Devi but Chameli Devi has died. So, in such circumstances the rest legal heirs of late Nandu Sah may be impleaded as a appellants at the place of late Nandu Sah. While other side ld. Counsel for the opposite party has not made any objection on the said petition. So, in the light of above facts petition filed under order 01 rule 10 of the C.P.C. is hereby allowed and appellant-applicant is hereby directed at outset to delete the name of deceased namely Nandu Sah from the title page of momo of appeal and to place the name of legal heirs of Nandu Sah at the place of late Nandu Sah within 14 days of this order. Put up the record on 29-03-2022 for hearing. Asutosh Rai A.D.J. XI 21-03-2022 Asutosh Rai A.D.J. XI 21-03-2022	