

IN THE HIGH COURT OF JHARKHAND AT RANCHI
C.M.P. No. 178 of 2020

Dinanath Hazam

... **Petitioner**

-Versus-

Motho Hazam & others

... **Opposite Parties**

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioner : Mr. Tarun Kumar Mahato, Advocate

For O.P. Nos.2-4, 6-8 & 10 : Mr. Manish Kumar, Advocate

15/24.02.2025 Mr. Manish Kumar has appeared on behalf of opposite party nos. 2 to 4, 6 to 8 and 10.

2. Notice upon opposite party no.11 is validly served. Notice upon opposite party no.35 has been received by the husband. Thus, notice upon opposite party no.35 is deemed to be validly served.

3. Notices upon opposite party nos. 33 and 44 are not effected.

4. Learned counsel for the petitioner will take fresh steps for service of notice upon opposite party nos. 33 and 44 by ordinary process as well as registered post with A/D, for which, requisites etc. shall be filed within a week.

5. I.A. No.561 of 2025 has been filed for substituting the legal heirs/successors of opposite party nos.1, 3, 22, 24, 28, 30, 40, 45 and 50.

6. Learned counsel for the petitioner submits that notices have been issued earlier upon all the opposite parties and, thereafter, it has come to the knowledge of the petitioner that opposite party nos.1, 3, 22, 24, 28, 30, 40, 45 and 50 have left for their heavenly abode and in view of that, the said I.A. has been filed. He submits that in filing the said I.A., some delay has taken place and in view of that, abatement may kindly be set aside.

7. Mr. Manish Kumar, learned counsel for opposite party nos. 2 to 4, 6 to 8 and 10 has got no serious objection.

8. Considering the intent for filing of the said petition and further opposite party nos.1, 3, 22, 24, 28, 30, 40, 45 and 50 have left for their heavenly abode, the prayer made in the I.A. is allowed.
9. Accordingly, I.A. No.561 of 2025 is disposed of.
10. Learned counsel for the petitioner will make out necessary correction with regard to opposite party nos.1, 3, 22, 24, 28, 30, 40, 45 and 50, within a week.
11. Issue notice to the newly added legal heirs/successors of opposite party nos.1, 3, 22, 24, 28, 30, 40, 45 and 50 by ordinary process as well as registered post with A/D, for which, requisites etc. shall be filed within two weeks. Returned copy, if any, may be utilized.

(Sanjay Kumar Dwivedi, J.)

Ajay/