

IN THE HIGH COURT OF JHARKHAND AT RANCHI
S.A. No. 636 of 2015

Mangal Baskey Appellant

Versus

Subodhan Murmu & Ors. Respondents

Coram: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Appellant : Mr. Manoj Kr. No. 4 , Adv.

06 / 15.02.2023 I.A. No. 4686 of 2020

Heard the learned counsel for the legal representatives of the sole deceased appellant.

Learned counsel for the legal representatives of the sole deceased appellant submits that this Interlocutory Application has been filed with a prayer to substitute the legal representatives of the sole deceased appellant- Mangal Baskey, who died on 19.07.2020 leaving behind his only 04 legal representatives whose names, addresses and parentage has been mentioned in paragraph 2 of the interlocutory application. It is next submitted that the prayer for substitution of only 04 legal representatives of the sole deceased appellant is within time and unless the prayer for substitution of the only 04 legal representatives of the sole deceased appellant is allowed, the appellants will be highly prejudiced.

Considering the aforesaid facts and circumstances of the case, the prayer to substitute the only 04 legal representatives of the sole deceased appellant is allowed as the appellant no. 1(a) to 1(d).

Registry is directed to incorporate the names and addresses and parentage of the only 04 legal representatives of the sole deceased appellant as appellant nos. 1(a) to 1(d) in the cause title of the

appeal memo with 'Red Ink'. Registry is also directed to mention the word 'Dead' against the name of the sole deceased appellant in the cause title of the appeal memo.

This interlocutory application is disposed of accordingly.

(ANIL KUMAR CHOUDHARY, J.)

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Mr. Manoj Kr. No. 4 has filed the power on behalf of legal representatives of the sole deceased appellant.

Issue notice to the respondents nos. 1 to 6.

The legal representatives of the sole deceased appellant are directed to file requisites of notice through both processes i.e. under registered post with A/D as well as through ordinary process within five weeks, failing which, this appeal shall stand dismissed without further reference to the Bench.

Rule is made returnable within six weeks.

List this appeal after receipt of the service report of the notice issued to said respondents.

(ANIL KUMAR CHOUDHARY, J.)

Smita/-