

IN THE HIGH COURT OF JHARKHAND AT RANCHI

I.A. No. 2227 of 2023

In

W.P. (C) No. 5984 of 2001

Jagdish Singh @ Jagdish Chik Baraik	...	...	Petitioner
Versus			
The State of Jharkhand and others	...	...	Respondents
With			
I.A. No. 1422 of 2003			
in			
W.P. (C) No. 5887 of 2002			

Deopal Singh	...	...	Petitioner
Versus			
The State of Jharkhand and others	...	...	Respondents

CORAM :HON'BLE MRS. JUSTICE ANUBHA RAWAT CHOUDHARY

For the Petitioners	: Mr. P.P.N. Roy, Senior Advocate : Mr. Ram Prakash Singh, Advocate
For the Respondents	: Mr. B.V. Kumar, Advocate

I.A. No. 2227 of 2023 in W.P. (C) No. 5984 of 2001

22/28.03.2023

Learned counsel for the parties are present.

2. Learned senior counsel for the petitioner submits that earlier one petition being I.A. No. 7574 of 2017 was filed for substitution of the sole petitioner who died on 11.07.2008. The said petition was filed by the wife of the petitioner and since the wife of the petitioner expired, the present interlocutory application has been filed. The learned senior counsel for the petitioner submits that the said petition for substitution being I.A. No. 7574 of 2017 was disposed of with a liberty to file fresh substitution petition and consequently a fresh substitution petition has been filed. He submits that the surviving legal heirs and successors of the deceased petitioner are his two sons whose details have been mentioned in paragraph 4 of the interlocutory application. He submits that a Vakalatnama has also been filed on behalf of the proposed legal heirs and successors along with the interlocutory application.
3. Learned counsel for the respondents has no serious objection to the prayer for substitution.
4. Accordingly, I.A. No. 2227 of 2023 is hereby allowed and the counsel for the petitioner is directed to delete the name of the sole

petitioner from the cause title and insert the names of the legal heirs and successors of the sole petitioner whose details have been mentioned at paragraph No. 4 of the interlocutory application in red ink during the course of the day.

I.A. No. 1422 of 2003 in W.P. (C) No. 5887 of 2002

5. Learned counsel for the petitioner submits that I.A. No. 1422 of 2003 has been filed for substitution of respondent No. 6.
6. Issue notice to the proposed legal heirs and successors of respondent No. 6 whose details has been mentioned in paragraph 5 of the interlocutory application.
7. The Notice should accompany the main writ petition as well as interlocutory application.
8. The notice be issued under speed post as well as ordinary process for which requisites should be filed by 06.04.2023 failing which the writ petition as against the concerned respondent shall stand rejected without further reference to a Bench.
9. Post these cases on 15.05.2023 awaiting service report.
10. Office is directed to track the speed post-delivery and prepare proper office note in connection with service of notice.

(Anubha Rawat Choudhary, J.)