

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Civil Revision No. 39 of 2018

M.D., B.S.L, Bokaro, represented through Arvind Kumar Upadhyay,
Assistant General Manager (Law), Bokaro Steel Plant, Bokaro

... .. Petitioner

Versus

Panu Mahato & Anr.

... .. Respondents

With

W.P.(C) No. 5745 of 2012

Bokaro Steel Plant (BSL), Bokaro through its Deputy General Manager
(Law), SAIL, Bokaro

... .. Petitioner

Versus

The State of Jharkhand through the Revenue Secretary, Ranchi & Ors.

... .. Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Petitioners

: Mr. Indrajit Sinha, Advocate
Mr. Bibhash Sinha, Advocate
Mr. Amitabh Prasad, Advocate

(In both cases)

For the State

: Mr. Ravi Prakash Mishra, AC to AAG-II
(In Civil Revision No. 39/2018)
Ms. Shalini Shahdeo, AC to SC (L&C)-I
(In W.P.(C) No. 5745 of 2012)

For the Private Opposite Parties/: Mr. Rama Kant Tiwari, Advocate
Respondents

(In both cases)

Order No. 15

Dated: 11.11.2022

I.A. No. 2576 of 2021 in Civil Revision No. 39 of 2018

The present interlocutory application has been filed on behalf of the applicants under Order XXII Rule 10A of C.P.C informing inter alia that the opposite party no. 1 – Panu Mahato has died during pendency of the present civil revision on 21.04.2021 leaving behind the applicants as his heirs/legal representatives, whose descriptions have been given in paragraph-4 of the present interlocutory application.

Having heard learned counsel for the parties and for the reasons stated in the present interlocutory application, let the death of the opposite party no. 1 be treated as information to the petitioner.

The present interlocutory application stands disposed of.

I.A. No. 9186/2022 and I.A. No. 9187/2022 in C.R. No.39/2018

I.A. No. 9187 of 2022 has been filed on behalf of the

petitioner for substitution of heirs/legal representatives of the opposite party no. 1 whereas I.A. No. 9186 of 2022 has been filed on behalf of the petitioner seeking condonation of delay in filing the said substitution application.

Having heard learned counsel for the parties and for the reasons stated in I.A. No. 9186 of 2022, the delay caused in filing the substitution petition i.e., I.A. No. 9187 of 2022 is hereby condoned.

Mr. Indrajit Sinha, learned counsel for the petitioner, on instruction, submits that the legal heirs of opposite party no. 1 have already been substituted in the pending L.A.(Ex.) Case No. 01/2008.

Having heard learned counsel for the parties and for the reasons stated in the present interlocutory application, the heirs of the deceased opposite party no. 1, whose descriptions have been given in paragraph no. 5 of I.A. No. 9187 of 2022, are permitted to be substituted in the present civil revision in his place.

Let necessary substitution in the cause title of the present civil revision be made by learned counsel for the petitioner in course of the day.

Issue notice to the newly substituted opposite party nos. 1(a) to 1(c).

Mr. Rama Kant Tiwari, Advocate, appears and waives notice on behalf of the said opposite parties. He submits that Vakalatnama on their behalf has already been filed in I.A. No. 2576 of 2021.

I.A. No. 9186 of 2022 and I.A. No. 9187 of 2022 stand disposed of.

I.A. No. 9257 of 2022 in W.P.(C) No. 5745 of 2012

The present interlocutory application has been filed on behalf of the petitioner for substitution of the respondent no. 3 – Panu Mahato who, as per the information of the petitioner, has died during pendency of the present writ petition on 21.04.2021.

Mr. Indrajit Sinha, learned counsel for the petitioner, at the outset, submits that the present interlocutory application has not been properly drafted. He accordingly does not press the present

interlocutory application with liberty to file a fresh one.

In view of the said submission, the present interlocutory application is dismissed as not pressed with aforesaid liberty.

Civil Revision No. 39/2018 with W.P.(C) No. 5745/2012

Put up these cases under appropriate heading after three weeks.

(Rajesh Shankar, J.)

Manish