

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P. (S) No. 1574 of 2018
With
I.A. No. 183 of 2023.
(Manoj Kumar Singh and Ors. Vs. Damodar Valley Cor. and Ors.)

CORAM : HON'BLE MR. JUSTICE ANANDA SEN.

For the petitioner(s): M/s Indrajit Sinha and Anjali Sinha, Advocates.
For respondent- DVC: Mr. Anil Kr.Sinha, Sr. Advocate
Mr. Soumitra Baroi, Advocate.

16/08.02.2023: **I.A. No. 183 of 2023.**

This application has been filed for substituting the legal heirs of deceased-petitioner No. 1.

Counsel for the petitioners submits that petitioner No. 1 died during the pendency of this writ petition on 3.11.2022, leaving behind his legal heirs namely, Namita Singh, Amit Kumar Singh, Sumit Kumar Singh and Dipika Singh. Namita Singh is the wife of the deceased and the rest are the children of the deceased.

Learned counsel for the respondents submits that no useful purpose will be served in substituting the deceased by his legal heirs, as the main relief, sought for in the writ petition is of regularization. With the death of the original writ petitioner No. 1, the right to sue does not survive.

Considering their submission of the parties, I am of the opinion that the original writ petitioner No. 1 needs to be substituted by his legal heirs. If the writ is allowed and any alternative relief is granted, or the services are regularized from the date of initial appointment, then the heirs are entitled to get same benefit. Whether they are entitled for relief as claimed or not is to be decided at the final stage.

I.A. No. 183 of 2023 stands **allowed**.

Let the name of the legal heirs of petitioner No. 1 be substituted by making necessary correction in cause title of the writ petition in course of the day in red ink.

WPS No. 1574 of 2018

List this case in usual course.