

IN THE HIGH COURT OF JHARKHAND, RANCHI
S.A. No.178 of 2009

Maksud Alam & Anr.

..... Appellants

--Versus--

Jahur Mian & Ors.

..... Respondents

CORAM : HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Appellants

: Mr. Bijay Kumar Sinha, Advocate

For the Respondents

: Mr. Praveen Verma, Advocate

9/ Dated : 15th October, 2019

I.A. No.4447 of 2015 has been filed for substituting the legal heirs/successors of the sole-appellant who is reported to be dead on 08.07.2015. The name of the legal heirs/successors of the sole-appellant has been provided in paragraph no.3 of the said I.A.

Mr. Bijay Kumar Sinha, the learned counsel appearing for the appellants submits that the I.A. has been filed within time and as the sole-appellant has died, and in view of the facts and circumstances, the I.A. may kindly be allowed.

Mr. Praveen Kumar, the learned counsel appearing for the respondent nos.1 to 11 and 13 has got no serious objection in allowing the said I.A.

In view of the above facts and submissions of the learned counsel for the appellant, the I.A. No.4447 of 2015 is allowed.

The learned counsel for the appellant is directed to make out necessary correction in the cause title in course of the day in red ink.

I.A. No.4447 of 2015 is allowed and disposed of.

In view of the order dated 08.11.2012 notices were issued upon the respondents. Respondent nos.1 to 11, 13, 14, 15, 16, 18 and 20 have appeared through *Vakalatnama*.

Respondent no.12 is reported to be dead.

Mr. Sinha, the learned counsel for the appellant submits that he will take appropriate steps with regard to respondent no.12.

The A/D of respondent no.17 and 19 have been signed by another persons. Accordingly, the appellant is directed to take further steps of notice upon the respondent Nos.17 and 19 by registered post

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with A/D as well as under ordinary process, for which requisites etc. must be filed within two weeks after 'Deepawali Vacation', failing which the Second Appeal shall stand rejected without further reference to the Bench.

(Sanjay Kumar Dwivedi, J.)

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