

IN THE HIGH COURT OF JHARKHAND AT RANCHI

Second Appeal No. 178 of 2009

Maksud Alam and others	...	...	Appellants
Versus			
Hatim Mian and others	...	...	Respondents

CORAM :HON'BLE MRS. JUSTICE ANUBHA RAWAT CHOUDHARY

For the Appellants	: Mr. Ram Prakash Singh, Advocate
	: Mr. Shashi Shekhar Dwivedi, Advocate
For the Respondents	: Mr. Aditya Banerjee, Advocate

I.A. No. 280 of 2025

12/29.10.2025

Learned counsel for the appellants has submitted that this interlocutory application has been filed for deleting the name of respondent no. 11 namely Rashida Khatoon from the cause title who has expired on 22.12.2024 and the legal heirs and successors are respondent nos. 6 to 10, who are already on record. He submits that the name of Sabana Khatoon, daughter of Jahur Mian, has been wrongly included in paragraph 5 of the interlocutory application. He is permitted to delete the name of Sabana Khatoon from the list of legal heirs and successors of respondent no. 11 in the interlocutory application.

2. Learned counsel for the respondents has no objection so far as prayer for substitution is concerned and they do not dispute that the respondent no. 6 to 10 are already on record who are legal heirs and successors of respondent no. 11.

3. Considering the aforesaid submission, I.A. No. 280 of 2025 is hereby allowed.

4. The learned counsel for the appellant is directed to delete the name of respondent no. 11.

5. I.A. No. 6424 of 2023 and I.A. No. 6425 of 2023.

6. Learned counsel for the appellant has submitted that I.A. No. 6425 of 2023 has been filed for substitution of respondent no. 14 (d) who expired on 24.03.2023 and the I.A. No. 6424 of 2023 has been filed for condonation of delay in filing the petition for substitution. He submits that the case is pending before this court since 2009. The

name of legal heirs and successors of respondent no. 14 (d) has been mentioned in para 6 of the interlocutory application.

7. Issue notice to the proposed legal heirs and successors of respondent no. 14(d) in both the interlocutory applications whose details have been mentioned in the interlocutory application for which requisites etc. under speed post must be filed within one week from today.

8. Post this case on 24.11.2025 awaiting service report.

(Anubha Rawat Choudhary, J.)

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