

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P.(C) No. 5328 of 2004

Mosomat Lupsi Devi & Others

.....**Petitioners**

Versus

State of Jharkhand & Others

.....**Respondents**

Coram: THE HON'BLE MR. JUSTICE RONGON MUKHOPADHYAY

For the Petitioners : Ms. Khushboo Kumari, Advocate

For the State : Mr. Prashant Kumar Rai, A.C. to S.C. (L&C) 1

I.A. No. 3385 of 2019

10/22.11.2023 This interlocutory application has been preferred by the petitioner for substituting respondent nos. 5 and 11 on account of their death during the pendency of this writ application by their legal heirs.

It has been stated that the respondent no. 5-Lal Chandra Manjhi died on 13.6.2010 leaving behind his heirs and legal representatives as mentioned in para 6 of the instant application while the respondent no. 11 has died on 5.9.2018 leaving behind his heirs and legal representatives as mentioned in para 7 of the instant application.

A supplementary affidavit has been filed by the petitioner to the instant interlocutory application wherein it has been stated that one of the legal heirs of the deceased respondent no. 5 namely Lalchandra Manjhi has also died on 4.5.2022 leaving behind his wife-Mosomat Chandmuni Devi and son Guddu Manjhi.

In view of the above, therefore, the respondent no. 5 is substituted by his legal heirs namely Simat Ram Manjhi and Talo Ram Manjhi, all residents of village-Simrabera, P.O. Kander, P.S. Mahua Tand, District-Bokaro.

So far as the son of the respondent no. 5 namely Phulchand Manjhi is concerned, since he is also now no more, he is substituted by his legal heirs namely Mosomat Chandmuni Devi, wife of late Phulchand Manjhi and Guddu Manjhi, son of late Phulchand Manjhi, both residents of village- Simrabera, P.O. Kander, P.S. Mahua Tand, District-Bokaro.

Similarly, respondent no. 11 has died leaving behind his wife Mosomat Dholi Devi as well as sons Babu Chand Kisku, Laldeo Kisku and Mohar Lal Kisku, all of whom are residents of village- Simrabera, P.O. Kander, P.S. Mahua Tand, District-Bokaro.

Thus the instant interlocutory application stands allowed and the deceased respondent nos. 5 and 11 as well as one of the deceased son of respondent no. 5 namely Phulchand Manjhi is substituted by the legal heirs as mentioned in this order.

Office to do the needful.

I.A. No. 3385 of 2019 stands disposed of.

I.A. No. 9041 of 2021

This interlocutory application has been preferred by the petitioner for substituting respondent no. 2 by his legal heirs on account of the fact that the respondent no. 2 has died during the pendency of this writ application on 27.3.2021 leaving behind his heirs and legal representatives as stated in paragraph 6 of the instant application.

In view of the above, this interlocutory application stands allowed and the deceased respondent no. 2 is substituted by his legal heirs as referred to in paragraph 6 of the instant application.

Office to do the needful.

I.A. No. 9041 of 2021 stands disposed of.

W.P (C) No. 5328 of 2004

Let this case be listed after three weeks under the heading For Admission.

(Rongon Mukhopadhyay,J)

Rakesh/-