

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(C) No. 1959 of 2023

Savitri Devi & Ors.

... .. **Petitioner(s)**

Versus

The State of Jharkhand & Ors.

... .. **Respondent(s)**

CORAM : SRI ANANDA SEN, J.

For the Petitioner(s) : Mr. Om Prakash, Advocate

Mr. Ritesh Kumar, Advocate

For the Respondent(s) : Mr. Mukul Kr. Singh, AC to GP-III

07/ 17th April, 2026

I.A. No.4833 of 2026

1. By filling this interlocutory application, a prayer has been made to substitute respondent No.19-Praful Mahto, S/o Jagu Mahto who died on 20.04.2025 by his legal heir namely, (i) Parwati Devi, W/o Late Praful Mahto, (ii) Radhe Mahto, S/o Late Praful Mahto, (iii) Meghlal Mahto, S/o Late Praful Mahto (died), (iv) Munni Kumar, D/o Late Praful Mahto.

2. It is pertinent to mention that one of the legal heirs of respondent No.19-Praful Mahto i.e., 19(iii) Meghlal Mahto, S/o Praful Mahto who also died in the year 2022 leaving behind his legal heirs, namely:

*(iii)(a) Kajal Devi, W/o Late Meghlal Mahto,
(iii)(b) Adarsh Kumar, S/o Late Meghlal Mahto,
(iii)(c) Suraj Kumar, S/o Late Meghlal Mahto.*

3. After hearing the parties, I find that the cause of action and right to sue survives and devolve upon the legal heirs thus, respondent Nos.19 and 19(iii) needs to be substituted by his legal heirs.

4. Consequently, the name of the respondent Nos.19 and 19(iii), be deleted from the cause-title and in place of them, the name of their legal heirs and successors as mentioned above be substituted.

5. I.A. No.4833 of 2026 is **allowed**.

6. Let necessary correction in the cause-title in red ink be carried out by learned counsel for the petitioners within a week.

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7. Learned counsel for the petitioners submits that due to inadvertence, this writ petition was filed against some dead persons, thus he wants to substitute the name of those persons from their legal heirs.

8. The name of respondent Nos.5, 6, 7, 18, 27, & 36 and legal heirs who are to be substituted in place of these dead persons have been mentioned paragraph No.1 of this interlocutory application, which are hereunder:-

Legal heirs of respondent No.5-Rameshwar Mahto:-

5(i) Hulash Mahato, S/o Late Rameshwar Mahto.

5(ii) Mahesh Mahato, S/o Late Rameshwar Mahto.

Legal heirs of respondent no. 6, namely, Brihaspati Mahto:-

6(i) Mahendra Mahato, S/o Late Brihaspati Mahato.

6(ii) Chehti Mahato, S/o Late Brihaspati Mahato.

6(iii) Tarni Mahato, S/o Late Brihaspati Mahato.

6(iv) Rupak Mahato, S/o Late Brihaspati Mahato.

6(v) Loteswar Mahato, S/o Late Brihaspati Mahato.

6(vi) Manoj Mahato, S/o Late Brihaspati Mahato.

6(vii) Julee devi, W/o Hardeo Mahto

6(viii) Jirwa Devi, W/o Budhan Mahto

Legal heirs of the deceased respondent no. 7, namely, Ugan Mahto:-

7(i) Chintwa Devi, W/o Late Ugan Mahto,

7(ii) Suresh Mahato, S/o Late Ugan Mahto,

7(iii) Bijay Mahato, S/o Late Ugan Mahto.

7(iv) Srikant Mahato, S/o Late Ugan Mahato.

7(v) Sarwan Mahato, S/o Late Ugan Mahato.

7(vi) Soni Mahato, S/o Late Ugan Mahto.

7(vii) Pankaj Mahato, S/o Late Ugan Mahto.

7(viii) Bhola Mahato, S/o Late Ugan Mahto(died).

7(ix) Renu Devi, W/o Nagar Mahto,

7(x) Lelwa Devi, W/o Manoj Mahto,

Legal heirs of the deceased respondent no. 18, namely, Birju Mahto:-

18(i) Kishori Mahato, S/o Late Birju Mahato.

18(ii) Prakash Mahato, S/o Late Birju Mahto.

18(iii) Budhani Devi, W/o Jharilal Mahto,

18(iv) Sukwa Devi, W/o Kishori Mahto,

18(v) Paro Devi, W/o Dinesh Mahto, D/o Late Birju Mahto,

18(vi) Shakuntala Devi, W/o Chedi Mahto,

Legal heirs of the deceased respondent no. 27, namely, Babulal Mahto:-

27(i) Mantu Mahato, S/o Late Babulal Mahto.

27(ii) Tinku Mahato, S/o Late Babulal Mahto.

27(iii) Suganti Devi, W/o Sudhir Mahto,

*Legal heirs of the deceased respondent no. 36, namely,
Kunti Devi:-*

*36(i) Munna Mahato, S/o Late Kunti Devi.
36(ii) Jyotin Mahato, S/o Late Kunti Devi.
36(iii) Asha Devi, D/o Late Kunti Devi.
36(iv) Sumitra Devi, D/o Late Kunti Devi.
36(v) Sintu Devi, D/o Late Kunti Devi.
36(vi) Aarti Devi, D/o Late Kunti Devi.*

9. It is pertinent to mention here that one of the legal heirs of respondent No.7- Ugan Mahto i.e., respondent No.7(viii) i.e. Bhola Mahto, also died leaving behind his legal heirs, namely:-

*7(viii)(a) Archana Devi, W/o Late Bhola Mahato.
7(viii)(b) Chandan Mahto, S/o Late Bhola Mahato.*

10. After hearing the parties, I find that the cause of action and right to sue survives and devolve upon the legal heirs thus, respondent Nos.5, 6, 7, 7(viii), 18, 27 & 36 needs to be substituted.

11. Consequently, the name of the respondent Nos.5, 6, 7, 7(viii), 18, 27 & 36 be deleted from the cause-title and in place of the respondent Nos.5, 6, 7, 7(viii), 18, 27 & 36, the name of their legal heirs and successors as mentioned above be substituted.

12. I.A. No.4834 of 2026 is **allowed**.

13. Let necessary correction in the cause-title in red ink be carried out by learned counsel for the petitioners within a week.

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14. Learned counsel for the petitioners will also file one typed copy of fresh amended cause title page, within two weeks.

15. Issue notice to the newly substituted respondents by ordinary process, for which, requisite etc. must be filed within four weeks.

(ANANDA SEN, J.)