

IN THE HIGH COURT OF JHARKHAND AT RANCHI

First Appeal No. 114 of 2024

With

I.A. No. 13388 of 2025

Shakur Ansari and others **Appellants**

Versus

Sabulan Khatoon and others **Respondents**

CORAM :HON'BLE MRS. JUSTICE ANUBHA RAWAT CHOUDHARY

For the Appellants : Mr. Navin Kumar, Advocate

For the Respondents : Mr. Ishteyaque Ahmed, Advocate

14/07.11.2025

I.A. No. 13388 of 2025 has been filed seeking deletion of name of respondent no. 24 by stating that she was defendant no. 1 in the original suit No. 68 of 2019 and judgment was passed ex-parte. She never appeared in the suit. It has also been stated that respondent no. 24 had expired prior to the passing of the impugned judgment dated 28.08.2023. However, her date of death has not been mentioned. The matter arises out of partition suit.

2. Considering the nature of suit and the aforesaid averments made in the interlocutory application, this court is not inclined to allow the petition for deletion (I.A. No. 13388 of 2025).

3. At this, the learned counsel for the appellants prays for some time to take appropriate steps.

4. Accordingly, I.A. No. 13388 of 2025 is dismissed.

5. As per the service report, respondent nos. 10, 11, 20, 21, 23, 26, 27,28,29,30,31 and 33 have received the notice personally. Accordingly, service of notice upon aforesaid respondents is valid.

6. Respondent nos. 1 to 9, 13,15 to 17 appeared by filing vakalatnama.

7. The learned counsel for the appellant has submitted that notice upon respondent nos. 22,25 and 32 be accepted as validly served as it has been served through close family members.

8. The notice received by the husband of respondent no. 25 is accepted as validly served.

9. However, the learned counsel for the appellant is directed to take steps for service of notice upon respondent nos. 12,14,18,19,22 and 32 through the concerned police station for which requisites etc. be filed within a period of ten days from today.

10. Post this case on 03.12.2025 awaiting service report.

(Anubha Rawat Choudhary, J.)

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