

IN THE HIGH COURT OF JHARKHAND AT RANCHI
F.A No. No.27 of 2014

1. The State of Jharkhand through the Deputy Commissioner, Palamau at Daltonganj, P.O. & P.S. Daltonganj, District Palamau
 2. The District Land Acquisition Officer, Palamau, P.O. & P.S. Daltonganj, District Palamau
 3. The Chief Engineer, Water Resource Department, P.O. & P.S. Daltonganj, District Palamau
- Appellants**

Versus

1. Rajmani Tiwari, S/o Ramdas Tiwari
 2. Krishna Tiwari, S/o Ramdas Tiwari
 3. Judhisthir Tiwari, S/o Ramdas Tiwari
 4. Kisto Tiwari, S/o Ramdas Tiwari
 5. Duryodhan Tiwari, S/o Ramdas Tiwari, All Residents of Village Redma, P.O. & P.S. Daltonganj, District - Palamau
- Respondents**

CORAM: HON'BLE MR. JUSTICE AMITAV K. GUPTA

For the Appellants : Mr. Vineet Prakash, Advocate
For the Respondents : Mr. Arbind Kr. Sinha, Advocate & Mr. Jitesh Kumar, Advocate

04/Dated: 14th July, 2016

Learned counsel for the appellants as well as learned counsel for the respondents are in attendance.

2. I.A. No.131 of 2016 under Order 22 Rule 10A of C.P.C has been filed by the respondents on 11.01.2016 informing that the respondent No.4 has died. The copy of the said interlocutory application has been served upon the learned counsel for the appellants. Further, office report indicates that respondent no.2 has also died, but till date the counsel for appellants has not taken any steps and he seeks time for getting instruction in the matter and at the same time he submits, on the instruction of the appellants, that the trial court is proceeding with the execution case. The submissions of the counsel are contradictory, hence, no indulgence can be shown by granting stay in view of such contradictory statements taking into account that despite the information provided by the respondents the appellants have not taken any steps in the matter.

3. It is made clear that if the proper application for bringing on record the legal heirs/ representatives of deceased respondent Nos.2 & 4 is not filed by 28.07.2016, the appeal shall stand abated with respect to respondent Nos.2 & 4.

4. List this case on 28.07.2016.

(AMITAV K. GUPTA, J.)