

IN THE HIGH COURT OF JHARKHAND AT RANCHI

C.M.P No. 633 of 2023

Jamaruddin Ansari Petitioner
Versus
Salamat Ansari and Ors. Opp. Parties

CORAM: HON'BLE MR. JUSTICE SANJAY PRASAD

For the Petitioner : Mr. Om Prakash Singh, Advocate

03/Dated: 18th June, 2024

I.A. No.9929 of 2023

This Interlocutory Application has been filed on behalf of the petitioner under Order XXII Rule 4 of the Code of Civil Procedure for substituting the legal heirs of deceased Respondent no.8-Khalil Ansari.

2. Learned counsel for the petitioner has submitted that the Respondent no.8-Khalil Ansari has died on 29.09.2023 leaving behind the legal heirs/representatives, who are as follows:-

- (i) Maddina Khatoon, wife of Late Khalil Ansari,
- (ii) Hanann Ansari, son of Late Khalil Ansari,
- (iii) Julkelnan Ansari, son of Late Khalil Ansari and
- (iv) Rabbul Ansari, son of Late Khalil Ansari

3. It is submitted that the right to sue survives and hence the name of legal heirs/representatives of the Respondent no.8-Khalil Ansari may be substituted.

4. In view of the above submission, the prayer for substitution is allowed.

5. Under the circumstances, learned counsel for the petitioner is directed to incorporate the name of the substituted legal heirs of deceased respondent no.8 in the cause title as mentioned in paragraph 4 of the Interlocutory Application by red ink.

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6. Accordingly, I.A. No.9929 of 2023 is allowed and stands disposed of.

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7. Put up this case after one week.

(Sanjay Prasad, J.)

Saket/-