

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Second Appeal No. 368 of 2004

Saraswati Devi and others Appellants
Versus
Tohan Baraik and others Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI
For the Appellants : Mr. Kirtivardhan, Advocate
: Mr. Vishnu Prabhakar Pathak, Advocate
: Ms. Pratyaksha, Advocate

For the Respondents : Mr. Kundan Kumar Ambastha, Advocate
: Mr. K.S. Nanda, Advocate

21/ 12.08.2026: I.A. No. 11231 of 2026 has been filed under Order 1 Rule 10(2) read with section 151 of C.P.C wherein prayer has been made for deleting the name of appellant 1(a) namely, Saraswati Devi who has left for her heavenly abode on 13.02.2020.

2. Learned counsel for the appellants submits that legal heirs of Saraswati Devi are already on record as appellant nos. 1 (c) to 1 (e) and in view of that he may be permitted to delete the name of appellant no. 1 (a) namely, Saraswati Devi.

3. Learned counsel for the respondents have got no objection.

4. I.A. No. 11231 of 2026 stands allowed and disposed of. Accordingly, the learned counsel for the appellants is permitted to delete the name of appellant no.1 (a) namely, Saraswati Devi in course of day.

5. Learned counsel for the appellants submits that I.A. No. 10030 of 2026 has not been drafted properly and in view of that he seeks permission to withdraw this petition with liberty to file afresh.

6. Learned counsel for the respondents submits that said I.A. is barred by limitation.

7. In view of above, I.A. No. 10030 of 2026 is dismissed as withdrawn with the aforesaid liberty.