

Court No. - 49

Case :- WRIT - B No. - 23708 of 1987

Petitioner :- Suresh Chand

Respondent :- DDC

Counsel for Petitioner :- Sc Tripathi, Dharmendra Kumar Tripathi, Pk Srivastava, S.C. Tripathi

Counsel for Respondent :- S.C., Anil Kumar Rai, V.K. Singh, Vishnu Singh

Hon'ble Prakash Padia, J.

Civil Misc. Substitution Application No.2 of 2018

The present application has been filed by the petitioner stating therein that the respondent no.3/Meva Lal has died on 1.3.2018 living behind his legal heirs and representatives, names of which has been contained in paragraph 2 of the affidavit filed in support of the substitution application.

The notices were issued to the proposed legal heirs of the respondent no.3 on 5.9.2018. Pursuant to the same steps were duly taken by the petitioners. An office report has been submitted and an order was passed by O.S.D. (Judicial) (Enquiry) dated 10.5.2019 stating therein that a vakalatnama on behalf of O.P. No.3/1 to 3/4 has already been filed by Sri Anil Kumar Rai and Sri Vishnu Singh, Advocates.

For the reasons given in the accompanying affidavit, the substitution application is allowed.

Let the heirs and legal representatives of deceased- respondent no.3/Meva Lal mentioned in the paragraph 2 of the affidavit accompanying the substitution application namely Anil Kumar, Sunil Kumar, Sushil Kumar and Jeera Devi be substituted as respondents no.3/1 to 3/4 in the writ petition and insert the word "deceased" after the name of respondent no.3/Meva Lal .

Office is directed to insert word 'dead' against the name of respondent no.3/Meva Lal and carry out the substitution of the cause title within a week.

Order on writ petition

The petitioners have preferred the present writ petition inter-alia with the prayer to quash the order dated 4.11.1987 passed by Deputy Director of Consolidation/respondent no.1.

The writ petition was duly entertained and initially interim protection was granted in favour of the petitioners on 24.12.1987. Subsequently, the aforesaid interim order was vacated by this Court. It further reveals from perusal of the record that the writ petition was also admitted by this Court vide order dated 24.12.1987. All the contesting parties in the writ petition is already represented. The matter is ready for final disposal.

In the circumstances, list this case for final hearing on 25.3.2020.

Order Date :- 13.12.2019

Pramod Tripathi