

Court No. - 50

Case :- WRIT - B No. - 1408 of 2021

Petitioner :- Satish Chandra And Another

Respondent :- The Board Of Revenue And 9 Others

Counsel for Petitioner :- Girish Chandra Maurya,Om Prakash,Panchu Ram Maurya

Counsel for Respondent :- Alope Kumar,Azad Rai,Bakhteyar Yusuf,C.S.C.,Santosh Kumar

Hon'ble Chandra Kumar Rai,J.

In Re: Civil Misc. Delay Condonation Application No.8 of 2023 along with Substitution Application No.9 of 2023

1. Heard Mr. Om Prakash, learned counsel for the applicant-petitioners.
2. The instant applications have been filed in respect of deceased respondent no.5 along with application under Section 5 of Limitation Act.
3. Notices were issued to the proposed heirs. As per office report, proposed heirs are represented by Mr. Alok Kumar, Advocate.
4. The explanation given for the condonation of delay in the affidavit is satisfactory.
5. Delay in filing the substitution application is condoned.
6. Let the word 'deceased' be mentioned against the name of respondent no.5 and his legal heirs as mentioned in the prayer clause of the application be substituted as respondent nos.5/1 & 5/2.
7. The applications are accordingly, allowed.

In Re: Civil Misc. Delay Condonation Application No.11 of 2023 along with Substitution Application No.12 of 2023

1. Heard Mr. Om Prakash, learned counsel for the applicant-petitioners.
2. The instant applications have been filed in respect of deceased respondent no.8 along with application under Section 5 of Limitation Act.
3. Notices were issued to the proposed heirs. As per office report, service is sufficient upon proposed respondent no.8/1 and proposed respondent no.8/2 is represented by Mr. Alok Kumar, Advocate.
4. The explanation given for the condonation of delay in the affidavit is satisfactory.

5. Delay in filing the substitution application is condoned.

6. Let the word 'deceased' be mentioned against the name of respondent no.8 and his legal heirs as mentioned in the prayer clause of the application be substituted as respondent nos.8/1 & 8/2.

7. The applications are accordingly, allowed.

In Re: Civil Misc. Substitution Application No.10 of 2023

1. Heard Mr. Om Prakash, learned counsel for the applicant-petitioners.

2. The instant application has been filed in respect of deceased respondent no.6.

3. Notices were issued to the proposed heir. As per office report proposed heirs are represented by Mr. Alok Kumar, Advocate.

4. The application is within limitation.

5. Let the word 'deceased' be mentioned against the name of respondent no.6 and his legal heirs as mentioned in the prayer clause of the application be substituted as respondent nos.6/1 & 6/2.

6. The application is accordingly, allowed.

In Re: Civil Misc. (Abatement) Application No.7 of 2023

In view of the aforementioned orders passed in Civil Misc. Delay Condonation Application Nos.8 & 11 of 2023 and Civil Misc. Substitution Application Nos.9, 12 & 10 of 2023, the instant abatement application is rejected.

Order on Writ Petition

List this case in the additional cause list on 26.3.2025.

Order Date :- 6.3.2025

Rameez