

XITEM NO.19

Court No.2 SECTION XVI
S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil)...../2010
CC 14361/2010
(From the judgement and order dated 12/04/2010 in LPA No. 604/2007
of The HIGH COURT OF PATNA)

SURYANATH PANDEY & ANR.

Petitioner(s)

VERSUS

STATE OF BIHAR & ORS. Respondent(s)
(With I.A. No.1 (c/delay in filing SLP ,c/delay in refiling SLP

Date: 20/09/2010 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ALTAMAS KABIR
HON'BLE MR. JUSTICE A.K. PATNAIK

For Petitioner(s) Mr. Braj Kishore Mishra,Adv.
Ms. Aparna Jha,Adv.
Mr. Abhishek Yadav,Adv.
Mr. Vikram,Adv.

For Respondent(s)

UPON hearing counsel the Court made the following
O R D E R

Since there is a sketch map at page 40 of the paper book, it appears that plots Nos. 2116 and 2117 have common boundary with the plot belonging to the petitioner. Let notice issue with regard to the petitioner's claim for preemption in respect of the said two plots.

Since we have also been informed that the respondent No.6, Dulhin Jotiya Devi, had died during the pendency of the matter before the High Court, and her heirs had not been substituted despite an application having been made to that effect, let the name of the said deceased respondent and legal her heirs, indicated in the cause title of the Special Leave Petition, stand deleted at the risk of the petitioner.

In the meantime, the respondent No.5 shall not create any third party rights in the two plots in question.

(Ganga Thakur) (Juginder Kaur)
PS to Registrar Court Master