ITEM NO.38 COURT NO.10 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) No(s).4583/2011

(From the judgement and order dated 12/05/2010 in SA No.51/2005 of The HIGH COURT OF PATNA)

GANGA DEVI @ AKALI DEVI & ANR. Petitioner(s)

VERSUS

RAM BILASH SAH & ANR. Respondent(s)

(With appln(s) for impleadment)

Date: 03/01/2012 This Petition was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE R.M. LODHA
HON'BLE MR. JUSTICE H.L. GOKHALE

For Petitioner(s) Mr. Nagendra Rai, Sr. Adv.
Mr. Shantanu Sagar, Adv.
Mr. Smarhar Singh, Adv.
Mr. Chandra Prakash, Adv.
Ms. Amrita Rai, Adv.
Mr. T. Mahipal,Adv.

For Respondent(s) Mr. Varinder Kumar Sharma,Adv.

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

Admittedly original defendant No. 2 - Bijay Kumar Sah - was not impleaded as party respondent in the first appeal and also in the second appeal in the High Court.

In view of the above, he cannot be permitted to be impleaded as respondent No. 3 in the present Special Leave Petition.

I.A. No. of 2011 to implead defendant No. 2 as respondent No. 3 is, accordingly, rejected.

Since the Special Leave Petition suffers from the defect of impleadment of necessary party, it is liable to be dismissed and is dismissed accordingly.

(Pardeep Kumar)
Court Master

(Renu Diwan)
Court Master