

IN THE HIGH COURT OF JHARKHAND AT RANCHI
(Civil Writ Jurisdiction)
W.P.(C) No. 2597 of 2004

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Shanti Prakash Tigga **Petitioner**
Versus
Rev C S R Topno & Others **Respondents**

CORAM: HON'BLE MR. JUSTICE KAILASH PRASAD DEO
(Through : Video Conferencing)

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For the Petitioner : Mr. Manoj Tandan, Advocate
For the Private Respondent : Mr. Jai Prakash, Sr. Advocate.
For the State : Mr. P. C. Roy, S.C.(L&C)-I
For the Respondent No.5 : Mr. Arvind Kumar Singh, Advocate.

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10/07.09.2021.

It appears that original writ petition has been preferred by one Shanti Prakash Tigga. During pendency of the writ petition, said Shanti Prakash Tigga has died and I.A. No.267/2008 has been preferred for substitution by one Amod Kerketta, S/o Late John Kerketta, the President, GEL Church Autonomy Vichar Manch, Elizabeth Ground, GEL Mission Compound, Church Road, P.S.- Lower Bazar, District – Ranchi. The said I.A. has been considered by Coordinate Bench of this Court in terms of order dated 26.03.2008 and it has been ordered that I.A. shall be considered at the time of final hearing of the writ petition.

Learned counsel for the private respondent, Mr. Jai Prakash, Sr. Advocate has submitted that Amod Kerketta also died and to bring the information on record an application under Order XXII Rule 10-A CPC has been filed vide I.A. No.221/2020, stating therein that Shanti Prakash Tigga has died on 04.03.2007, respondent no.1, Rev C S R Topno also died on 07.06.2014 and Amod Kerketta also died in the year 2012, as such, no one is available in this writ petition.

Learned counsel for the petitioner, Mr. Manoj Tandan has submitted that in such view of the matter, he has no power to argue this case on behalf of the petitioner after death of Shanti Prakash Tigga for whose substitution I.A. No.267/2008 has been filed.

Learned counsel for the State, Mr. P.C. Roy, S.C.(L&C)-I has no objection.

Learned counsel for the respondent no.5, Mr. Arvind Kumar Singh has no objection.

Considering such situation, as nobody appears to file any application for substitution of the legal heirs, this Court has no other option than to dismiss this writ petition as not pressed.

Accordingly, the instant writ petition is dismissed as not pressed.

The interim order granted vide order dated 25.06.2004 is hereby vacated.

Let a copy of this order be communicated to learned Additional Judicial Commissioner (Fast Track Court-X), Ranchi in Title Appeal No.16/1995.

(Kailash Prasad Deo, J.)

Jay/-