

IN THE HIGH COURT OF JHARKHAND AT RANCHI

[Civil Writ Jurisdiction]

W.P. (C) No. 4225 of 2001

Anil Kumar Agrawal and Ors.	Petitioners
Versus		
State of Jharkhand and Ors.	Respondents
with		
CWJC No. 2800 of 2000 (R)		
Narendra Deo Singh	Petitioner
Versus		
State of Bihar and Ors.	Respondents

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

For the Petitioners	:	Mr. Indrajit Sinha, Advocate Mr. Awinash Kumar, Advocate
For Respondents	:	Mr. Siddhartha J. Roy, Advocate (in WP(C) No.4225/2001)
For the Petitioners	:	Mr. Siddhartha J. Roy, Advocate
For Respondents	:	Mr. Indrajit Sinha, Advocate Mr. Vipul Poddar, Advocate (in CWJC No.2800/2000)

09/07.09.2021 Heard the learned counsel for the parties..

[I.A. No.3480 of 2009 in W.P. (C) No. 4225 of 2001]

The aforesaid interlocutory application has been filed to expunge the name of petitioner No.2 from the memo of the writ petition, namely Smt. Shakuntala Devi Agarwal who died on 06.11.2001 by substituting her legal heirs, namely Sanjiv Agrawal & Rajiv Agrawal as 2(a) and 2(b), though the husband of petitioner No.2, namely Lal Mohan Agrawal, is already party as petitioner No.6, as such, the names of sons of petitioner No.2 (Smt. Shakuntala Devi Agarwal) be substituted as petitioners nos.2 (a) and (2b) i.e. 2(a) Sanjiv Agrawal & 2(b) Rajiv Agrawal.

Learned counsel for the respondents has no objection.

Considering the same, prayer made in I.A. No.3480 of 2009 is hereby allowed.

Office is directed to make necessary correction in the Cause Title of the Writ petition by substituting legal heirs as petitioners nos.2 (a) and (2b) i.e. 2(a) Sanjiv Agrawal & 2(b) Rajiv Agrawal

[I.A. No.1338 of 2020 in W.P. (C) No. 4225 of 2001]

Learned counsel Mr. Indrajit Sinha has submitted that during pendency of the Writ Petition, petitioner No.6, namely Lal Mohan Agrawal has expired on 04.04.2016 leaving behind two sons, namely, (a) Sanjiv Agrawal & (b) Rajiv Agrawal who have already been made party in this Writ Petition as 2(a) and 2(b)

vide I.A. No.3480 of 2009. It appears that his wife Smt. Shakuntala Devi Agrawal (petitioner No.2) has already died leaving behind the same, as such, the name of petitioner No.6 may be expunged.

Learned counsel for the respondents have no objection.

Considering the same let name of petitioner No.6 be deleted from the Cause title of the writ petition as legal heirs are already on record.

I.A. No.1338 of 2020 is hereby allowed.

Office is directed to make necessary correction in the Cause Title of the Writ petition as aforesaid.

[I.A. No.2564 of 2009 in W.P. (C) No. 4225 of 2001]

Learned counsel for the petitioner Mr. Indrajit Sinha has submitted that he seeks permission to withdraw this interlocutory application with a liberty to renew the prayer made in I.A., same if necessity arises.

Learned counsel for the respondents has no objection.

Accordingly, I.A. No.2564 of 2009 is dismissed as withdrawn with liberty as aforesaid.

[I.A. No.8933 of 2013 in W.P. (C) No. 4225 of 2001]

Learned counsel for the petitioner Mr. Indrajit Sinha has submitted that petitioner No.5, Ram Awatar Agrawal died on 15.08.2013 leaving behind, his son petitioner No.1 and his wife petitioner No.7 who are already party in this Writ Petition, but another son, namely, Manish Kumar Agrawal is not a party in the writ application, as one of his legal heir and representative in addition to petitioner Nos.1 and 7, as such, his another son, Manish Kumar Agrawal be substituted as petitioner No.5(a).

Learned counsel for the respondents has no objection.

Accordingly, prayer made in I.A. No.8933 of 2013 is hereby allowed.

I.A. No.8933 of 2013 is allowed.

Office is directed to make necessary correction in the Cause Title of the Writ petition as aforesaid.

W.P. (C) No. 4225 of 2001 with CWJC No. 2800 of 2000.

Learned counsel for the petitioners, Mr. S. J. Roy [in CWJC No. 2800 of 2000 (R)] has submitted that some of the content of the interlocutory application is missing, as such, two weeks' time may be granted.

Put up these cases after two weeks.

In the meantime, parties are directed to exchange their pleadings.