

GAB
19.02.2013

IN THE HIGH COURT OF JUDICATURE AT PATNA

(CIVIL WRIT JURISDICTION)

I.A. No. _____ of 2013.

In

Arising out of C.W.J.C.No. 17963/2008.

Jagdish Chandra *S. Das* Petitioner(s)

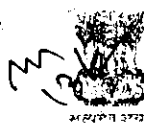
Versus

The State of Bihar and others Respondents.

Subject : Substitution of petition .

I N D E X

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105 BCL

IN THE HIGH COURT OF JUDICATURE AT PATNA

(CIVIL WRIT JURISDICTION)

T.A. No. _____ of 2013.

IN

Arising out of C.W.J.C.No. 17963/2008 .

Jagdish Choudhary & Co.

Petitioner(s)

Versus

The State of Bihar and others Respondents.

In the matter of an
application under Article
226 of the Constitution of
India ;

A n d

In the matter of :

1. Uma Devi W/o. Late Jagdish Choudhary

2. Ravish Choudhary S/o. Late Jagdish Choudhary

both resident of Village-Hasanpur Bagar

P.O. & P.S. - Nowkothi , District- Begusarai ,

at present , resident of Mohalla-Baghi , P.O. - Suhirdi

Nagar , P.S. Town , District- Begusarai

...Petitioners.

Versus

1. The State of Bihar .

2. The Chief Engineer, Building Construction Department
Saharsa.

3. The Superintending Engineer , Building Construction
Department , Building Circle, Saharsa.

4. The Executive Engineer, Building Construction
Department, Building Division, Madhepura

.... Respondents.

To,

The Hon'ble Ms. Justice Rekha M. Doshi, the
Chief Justice of the High Court of Judicature at
Bombay and Her companion Justices of the said Hon'ble
Court.

The humble Interlocutory
application filed on behalf of the
petitioners above named for substi-
tution of their name :

Most Respectfully Sheweth :

1. That during the pendency of the aforesaid
writ petition the sole petitioner namely Jagdish
Choudhary died due to ailment on 18.7.2011 .

A photo copy of Death certificate
is annexed herewith and marked
as Annexure-5 to this petition.

2. That the petitioner left behind the

following heirs and legal representative such as :-

- (a) Uma Devi W/o. Late Jagdish Choudhary
- (b) Ravish Choudhary S/o. Late Jagdish Choudhary

both resident of Village -Hasampur

Bazar ,P.O. & P.S.-Nowkothi, District-Begusarai

at present Resident of Mohalla-Baghi ,P.O.-

Suhird Nagar,P.S.-Town, District- Begusarai

3. That accordingly the name of Sole
petitioner Late Jagdish Choudhary may be deleted and
in his place the name of his legal heirs and representa
-tives mentioned in para-2 of this petition may be
added in the writ petition as petitioners.

4. That the present proposed substituted heirs
Namely Uma Devi who is widow (wife) of deceased
petitioner and Ravish Choudhary son deceased petitioner
are herself able to persue the case .

5. That the petitioners have not filed any such other petition earlier before this Hon'ble Court.

It is, therefore prayed that your Lordships may would graciously be ~~be~~ pleased to allow this substitution petition and direct the office to substitute the petitioners in place of Deceased petitioner as petitioners of the main writ petition

And/or

pass such other order or orders as your Lordships may deem fit and proper;

And for this petitioners shall ever pray.

A f f i d a v i t

I, Uma Devi ,aged about 62 years son wife of Late Jagdish Choudhary , resident of Village- Hasanpur, Bagar, P.O.- Nowkothi, P.S.-Nowkothi, District- Begusarai, at present resident of Mohalla-Baghi ,P.O. -Suhird Nagar,P.S. Town District -Begusarai , do hereby solemnly affirm and state as follows :

1. That I am wife ^{and heir} of the petitioner ~~in this case and~~ in this case and as such am well acquainted with the facts and circumstances of the case.
2. That the contents of this I.A. application have been read over and explained to me in Hindi, which I have fully understood and they are true to my knowledge.
3. That the annexure is true /type/photo copy of its original.

11/01/2011 / 11/11/2011 5

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सं. 802072

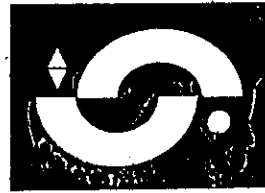
प्ररूप संख्या-6

Form-6



सत्यमेव जयते

बिहार सरकार
GOVERNMENT OF BIHAR
(योजना एवं विकास विभाग)



(DEPARTMENT OF PLANNING AND DEVELOPMENT)

सांख्यिकी एवं मूल्यांकन निदेशालय
DIRECTORATE OF STATISTICS AND EVALUATION

मृत्यु प्रमाण-पत्र
DEATH CERTIFICATE

(जन्म और मृत्यु रजिस्ट्रीकरण अधिनियम, 1969 की धारा - 12/17 तथा बिहार जन्म और मृत्यु रजिस्ट्रीकरण नियमावली, 1999 के नियम 8/13 के अंतर्गत जारी किया गया।)

(Issued under Section - 12/17 of the registration of Births and Deaths Act, 1969 and Rule 8/13 of the Bihar Registration of Births and Deaths Rules, 1999)

यह प्रमाणित किया जाता है कि निम्नलिखित सूचना मृत्यु के मूल अभिलेख से ली गई है, जो कि (स्थानीय क्षेत्र) हसनपुर बाजार.....तहसील(अंचल/प्रखंड).....नाकौठी..... जिलाबैगूसराय..... राज्य: बिहार के रजिस्टर में उल्लिखित है।

This is to certify that the following information has been taken from the original record of death which is the register for (local area/local body) ..Hassanpur Bazar of tahsil (Anchal/Block)Naokothi.....of DistrictBegusarai..... of State : Bihar

नाम / Name ...जवाहरि चौधरी..... लिंग / Sexपुरुष.....

मृत्यु की तिथि / Date of Death 18-07-2011 मृत्यु का स्थान / Place of Death ..हसनपुर बाजार

माता का नाम / Name of Mother

पिता/पति का नाम / Name of Father/Husband ..काली चौधरी

मृतक का मृत्यु के समय का पता/ मृतक का स्थायी पता/

Address of the deceased at the time of death Permanent address of the deceased
ग्राम-प.पो-न.पो. हसनपुर बाजार. ग्राम-प.पो-न.पो. हसनपुर बाजार

प्रखण्ड-भाया - नाकौठी प्रखण्ड-भाया - नाकौठी

जिला - बैगूसराय जिला - बैगूसराय

पंजीकरण संख्या/Registration No.70... पंजीकरण दिनांक/Date of Registration 11-11-2011

टिप्पणी/Remarks(if any) प्रखण्ड विकास पदा. के आदेशानुसार

जारी करने की तिथि/Date of Issue 15/11/2011 प्राधिकारी का हस्ताक्षर/Signature of the issuing authority

पंचायत सचिव
ग्राम पंचायत राज हसनपुर बाजार
मोहर/Seal प्रखण्ड- नाकौठी, बैगूसराय

"प्रत्येक जन्म एवं मृत्यु का पंजीकरण सुनिश्चित करें/Ensure registration of every birth and death"