

IN THE COURT OF CIVIL JUDGE (Jr. Div.), DUMRAON
Present:- Prateek Mishra, Civil Judge (Jr. Div.), Dumraon.
Title Suit No. - 767/2022

Date of Order	Order with initials of the Court	Remarks
19.09.2025	Case called upon. Ld. Counsel of defendant appeared and submitted that plaintiff petition dated 20.06.2024 under Order 22 Rule 4 of the Code of Civil Procedure wherein it has been pleaded that defendant no. 5 Sudarshan Tiwari of the suit has been died on 17.10.2023 was filed with delay. Defendant has filed reply on 16.04.2025 wherein it has been <i>inter-alia</i> pleaded that no petition for condonation of delay or setting aside abatement has been filed with this petition of substitution. Plaintiff has filed one additional petition dated 08.09.2025 wherein name of daughter of defendant no. 5 was given. Case called upon again. None for plaintiff. Perused the records. It is noted that no petition for condonation of delay or setting aside abatement has been filed with this petition of substitution. Thus, substitution is time barred. Hence, petition is dismissed under contest without cost. Suit is hereby abated against defendant no. 5 Sudarshan Tiwari. Office is directed to expunge name of defendant no. 5. List on 18-11-2025 for appearance of defendant and filing of written statement. (Prateek Mishra) Civil Judge (Jr. Div.), Dumraon	