

Civil Suit No. 472/2022
Gulam Rasool vs Gulam Mustfa and ors.

16.06.2025

Present: Sh. Madan Rawat, Id. Adv. for the plaintiff.
Defendant No.1 reported to be dead.
Mohd. Awas, Id. Adv. for the defendants No. 2 to 7.

Again time prayed by counsel for plaintiff for taking steps qua deceased defendant No.1. Perusal of file shows that on 09.09.2024 it was reported by the counsel for defendant No.1 that he has expired. Since then more than 90 days have elapsed. No steps for bringing on record LRs has been taken. Limitation for bringing on record LRs of deceased party is 90 days after which abatement is automatic. Since no steps qua deceased defendant No.1 has been taken. As such proceedings against him stands abated. Present suit has been filed for permanent prohibitory injunction and mandatory injunction which can continue against remaining defendants even after abatement qua deceased defendant No.1.

Let case be listed for PWs for 28.10.2025. Steps be taken within 15 days.

(Nikhil Aggarwal)
Senior Civil Judge, Chamba