

In the Court of Additional District Judge, Court No. 03, Deoria

Civil Revision No. 12/2021

Subash & Oths. Vs. Ayoddhya Nath & Oths.

CNR No. UPDE010019242021

09.10.2024

Case called out. Learned counsel for both parties are present. An application 30KA2 for submitting alongwith application 32GA abatement for setting aside under Order 22 Rule 9 CPC and under Section 5 of Limitation Act are preferred with the averment that the substitution application 22KA2 is pending for disposal wherein proposed legal representative of deceased respondent no. 6 Kaushalya Devi is died on 26.09.2023. Therefore, it is requested for amendment in the substitution application.

Heard and perused the record. Learned counsel for respondents has objected for costs only. Though there is no specific provision for abatement of the revision in the statute book. The application is filed belately. Therefore, whatever hardship is caused by the respondents may be compensted in terms of costs. Accordingly, the application is liable to be allowed on costs.

ORDER

Application 30KA2 is allowed on costs Rs. 100/- (Rs. Hundred only). All pending applications in this behalf is disposed of accordingly. Let amendment be carried out in application 22KA2 within a week.

List on 30.10.2024 for disposal 22KA2.

(Sanjay Kumar Singh-III)
Addl. District Judge,
Court No. 03, Deoria.