



## HIGH COURT OF CHHATTISGARH AT BILASPUR

### SA No. 8 of 2005

PURAN SAO **versus** Bullu (Died) Through Lrs.

### Order sheet

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| <u>12/12/2025</u> | <p>Mr. Divyanand Patel, Advocate for the appellants.</p> <p>Mr. Ajay Kumrani, Panel Lawyer for the State/ respondent No.6.</p> <p>Learned counsel appearing for the appellants wants to withdraw the application (I.A. No. 8 of 2025) for the reason that the proposed amendment is already been carried out in the cause title of the memo of appeal.</p> <p>On due consideration, the application (I.A. No. 8 of 2025) is dismissed as not pressed.</p> <p>Also heard on I.A. No. 4 of 2025, which is an application under Order 22 Rule 3 of CPC for substitution of legal representatives of deceased/appellant No.1- Puran Sao, I.A. No. 5 of 2025, which is an application under Order 22 Rule 9 of CPC and I.A. No. 6 of 2025, which is an application under Section 5 of the Limitation Act.</p> |

On due consideration, the applications (I.A. Nos. 4, 5 and 6 of 2025) are allowed. The delay in filing the setting aside abatement application is condoned and abatement is set aside. Consequently, the appellants are permitted to substitute the names of proposed legal representatives of the deceased/appellant No.1 in the cause title of the appeal memo.

Also heard on I.A. No. 10 of 2025, which is an application for deletion of name of the appellant No.5- Jhalkhi.

Learned counsel for the appellants would submit that, the appellant No.5- Jhalkhi has died on 15.01.2025 and her legal representative is already on record as the appellant No.4, therefore, the name of appellant No.5 may be deleted from the cause title of the memo of appeal.

On due consideration, the application (I.A. No. 10 of 2025) is allowed.

Learned counsel for the appellants is permitted to delete the name of appellant No.5 from the cause title of the memo of appeal.

Also heard on I.A. No. 7 of 2025, which is an application for deletion of name of respondent No. 1(a)- Suni and I.A. No. 9 of 2025, which is an application for deletion of name of respondent No.5- Kismatiya @ Kubri.

Learned counsel for the appellants would further

submit that, the respondent No. 1(a)- Suni and respondent No. 5- Kismatiya @ Kubri have died and the legal representatives of deceased/respondent No.1(a)- Suni are already on record as respondents No. 1(b) and 1(c) and the respondent No.5- Kismatiya @ Kubri has died issueless, therefore, he wants to delete the names of deceased/respondent No.1(a)- Suni and respondent No.5- Kismatiya @ Kubri.

On due consideration, both these applications (I.A. Nos. 7 and 9 of 2025) are allowed.

The appellants are permitted to delete the names of respondent No.1(a)- Suni and respondent No.5- Kismatiya @ Kubri from the cause title of the memo of appeal.

All the aforesaid amendments shall be carried out within 10 days from today.

Also heard on I.A. No. 11 of 2025, which is an application under Order 22 Rule 4 of CPC for substitution of legal representatives of deceased/respondent No.2- Thaula, I.A. No. 12 of 2025, which is an application under Order 22 Rule 9 of CPC and I.A. No. 13 of 2025, which is an application under Section 5 of Limitation Act.

Issue notice to the proposed legal representatives of deceased/respondent No.2 on the applications (I.A. Nos. 11, 12 and 13 of 2025).

P.F. and copies as per rules.

List this case after service of notice upon the proposed legal representatives of deceased/respondent No.2.

Sd/-  
**(Ravindra Kumar Agrawal)**  
Judge