

**HIGH COURT OF CHHATTISGARH AT BILASPUR****SA No. 586 of 2016**Smt. Prabha Singh **versus** Vikas Singh**Order Sheet**

26/03/2025	Shri Mohd. Ruhul Ameen Memon appears on behalf of Shri Abhijeet Mishra, counsel for the appellants. None for Respondent Nos.1 and 2, though served. Shri Saurav Agrawal appears on behalf of Shri Ratnesh Kumar Agrawal, counsel for Respondent No.3. Ms. Neeta T Thawani, PL for State/Respondent No.4. Heard on I.A. No.2/2022 (application under Order 22 Rule 4 CPC for substitution of legal representatives of the deceased Respondent No.3), I.A. No.3/2022 (application under Order 22 Rule 9 of CPC for setting aside the abatement), I.A. No.4/2022 (application under Section 5 of Limitation Act for condonation of delay in filing the application for setting aside the abatement). Learned counsel for the appellant submits that Respondent No.3 has died during the pendency of the appeal leaving behind his legal representatives. None for proposed Respondent Nos.3(a) to 3(d), though notice has been served. On due consideration of the reasons assigned in the
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Avinash	application, I.A. Nos.2/22, 3/22 and 4/22 are allowed. Delay in filing the application for setting aside the abatement is condoned. Abatement is set aside. Let legal representatives of Respondent No.3 be brought on record. Necessary amendment be carried out in the cause title of memo of appeal within a period of 8 weeks. List this matter thereafter. Sd/- (Deepak Kumar Tiwari) Judge
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