

HIGH COURT OF CHHATTISGARH, BILASPUR

order sheet

MAC No. 272 of 2022

Branch Manager **Versus** Deu Naag

07.03.2024	Mr. Amit Tirkey, Counsel for the Appellant. Mr. Praveen Dhurandar, Counsel for the Respondent. Heard on I.A. No. 04/2024, an application filed under Order 22 Rule 4 of the CPC, for substitution of legal representative of deceased Respondent No. 1 namely- Deu Naag. Also heard on I. A. NO. 05/2024, an application under Order 22 Rule 9 of the CPC, for setting aside the abatement of this appeal on account of death of deceased Respondent No. 01 namely – Deu Naag. Also heard on I. A. No. 06/2024, an application under Section 5 of the Limitation Act for condonation of delay in filing the application under Order 22 Rule 4 and under Order 22 Rule 9 of the CPC. On due consideration and for the reasons assigned therein, all the above applications are allowed. Delay in filing of the applications under Order 22 Rule 4 and under Order 22 Rule 9 of the CPC are condoned.

Abatement of this appeal is also set aside.

Let necessary amendment be incorporated within two weeks.

After incorporation of the amendment, fresh notice be issued to the newly added legal representative namely- Ayatu Naag S/o deceased Respondent No. 1 – Deu Naag.

List this case after receipt of service report.

Sd/-

(Arvind Kumar Verma)

Judge