



CGHC010126452018

HIGH COURT OF CHHATTISGARH AT BILASPUR**SA No. 264 of 2018****DEVNARAYAN AWADHIYA *versus* NAND KISHORE AWADHIYA****Order Sheet**

24.07.2026	Mr. Sourabh Sahu, learned counsel for the appellant/s. Ms. Ranjana Jaiswal, Mr. Aishwarya Diwan and Mr. Narayan Prasad, PL, learned counsel for the respective respondents. Learned counsel for the appellant submits that appellant No. 2 Vyasnarayan Awadhiya died on 25.10.2022, respondent No. 1 Nand Kishore Awadhiya has passed away on 24.10.2024 and respondent No. 2 Rukhmani Bai has passed away on 19.01.2019. He submits that an application I. A. No. 1/2024 under Order 22 Rule 3 of CPC; I. A. No. 2/2024 application for setting aside of abetment & I. A. No. 3/2024 application seeking condonation of delay of CPC have been filed for substitution of legal representatives of the appellant No. 2, setting aside the abetment on account of his death and condonation of the delay in filing the said applications. Learned counsel for respondent No. 3 has no objection to the

H.Ansari	aforesaid applications. On due consideration, the applications are allowed. The delay in filing the application for setting aside the abatement is condoned. The abatement on account of death of appellant No. 2 is set aside and his legal representatives are substituted on record. Accordingly, I.A. Nos. 1/2024, 2/2024 and 3/2024 stand disposed of. Let necessary amendment be carried out within a period of 14 working days. Learned counsel for the appellant/s further submits that applications have also been filed for bringing on record the legal representatives of respondent Nos. 1 and 2, along with applications seeking setting aside of the abatement and condonation of delay. Let notices on I. A. No. 6/2026, I. A. No. 7/2026, I. A. No. 8/2026, I. A. No. 9/2026, I. A. No. 10/2026, & I. A. No. 11/2026 be issued to the proposed legal representatives of respondent No. 2 i.e. Satyanarayan Awadhiya and Tripti Soni as mentioned in I. A. No. 8/2026. P. F. and copies by ordinary and speed post within a period of 14 working days after the amendment is incorporated. List after service report is received. Sd/- (Sachin Singh Rajput) Judge
----------	--