

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

SA No. 23 of 2013

Gulab Singh Anr **Versus** Ram Raj Singh And Ors

21.11.2023	Mr. A.K. Prasad, counsel for the Appellants. Mr. Anurag Singh, counsel for Respondent No. 1. Heard on I.A. No. 9, an application under Order 22 Rule 3 of CPC, for substitution of legal representatives of appellant No. 1 namely Gulab Singh. Also heard on application moved under Order 22 Rule 9 of the CPC and Section 5 of the Limitation Act. Learned counsel for the appellants would submit that on 17.08.1999 appellant No. 1 was expired leaving behind his legal representatives. Earlier, on 04.05.2001 an application was moved for substitution of legal representatives but records of Second Appeal No. 23 of 2013 was not available and Registry of this Court received the same in the year 2013, and thereafter, again application was moved and later on, case was dismissed for want of prosecution and after restoration applications have been moved. Thus, he would pray to allow the above applications. On the other hand, Mr. Anurag Singh, learned counsel for

respondent No. 1 would oppose.

Taking into consideration the reasons assigned in the applications same are allowed. The remaining appellants are directed to carry out necessary amendments.

Notices issued to Respondents No. 2 and 5 are reported to be unserved. Appellants are directed to pay fresh PF for service of notice on respondents No. 2 and 5 by ordinary as well as registered mode.

Post this matter after service of notice.

**Sd/-
(Rakesh Mohan Pandey)
Judge**