



HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

2026:CGHC:13508

SA No. 700 of 2017

Sukhnandan **Versus** Kendibai

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| 22.02.2022 | <p>Dr. Shiv Kumar Shrivastava, counsel for the appellants.<br/>Shri Palash Agrawal, counsel for respondent No. 1.<br/>Shri Tarkeshwar Nande, Panel Lawyer for the State.</p> <p>Learned counsel for the appellants would submit that during the pendency of the appeal, appellant No. 1A Chain Singh expired on 01.03.2021. The legal representatives of the deceased had not communicated this fact to the counsel in time. The learned counsel for the appellants has filed application for bringing legal heirs of deceased appellant and also application for setting aside the abetment with application under Section 5 of the Limitation Act.</p> <p>On due consideration, application for setting aside the abatement and condonation of delay in filing the application are allowed.</p> <p>Learned counsel for the appellants would submit that he has filed application under Order 22 Rule 3 of the CPC (inadvertently mentioned as Rule 4) for bringing legal heirs of appellant No. 1A on record contending that appellant No. 1A has expired on 01.03.2021 leaving behind the legal representatives namely Samaliya, Manjeet, Sanjeet and Pushpendar,</p> <p>The application for bringing legal heirs of appellant No. 1A is allowed. The counsel for the appellants is directed to incorporate the same and amend the cause title within two weeks.</p> <p>List the matter immediately after two weeks.</p> <p style="text-align: right;">Sd/-<br/>(Narendra Kumar Vyas)<br/>JUDGE</p> |