

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

SA No. 669 of 2017Smt. Itwara Bai & Anr. **Versus** Doojram and Others

20.06.2022	Mr. K. A. Ansari, Sr. Advocate alongwith Mr. Aman Ansari, Advocate for the Appellants. Ms. Ishwari Ghritlahre, P. L. for the State. Heard on application (I. A. No. 01/18), for condonation of delay of 2 days in filing the appeal. Learned counsel for the appellant would submit that there is delay of 2 days in filing the appeal. Considering the submission made by learned counsel for the appellant and the reason assigned in the application (I.A. No. 01/18), delay in filing the appeal is condoned and accordingly, the application (I.A. No. 01/18) is allowed. Also Heard on I. A. No. 01/22, application filed under Order 22 Rule 3 of CPC for substitution of legal representatives of the appellant No. 1- Itwara Bai and appellant No. 2- Nageshar Bai. Learned counsel for the proposed LR's of the deceased appellant would submit that the appellant No. 1-Itwara Bai died on 01.08.2021 and Appellant No. 2- Nageshar Bai died on 24.01.2022 leaving behind the legal representatives namely- Narmada Bai who is the daughter of late Nageshar Bai. He would further submit that the said application was filed within limitation as prescribed in the CPC, therefore, kindly be allowed to substitute the above said legal heirs in place of deceased appellant Nos. 1 & 2.

Considering the submission made by learned counsel for the proposed LR's. Of the appellant No. 2 and the reason assigned in the application (I. A. No. 01/22) the application for substitution of legal representatives of the deceased appellants is allowed.

The learned counsel for the proposed LR's. is directed to incorporated the name of legal heirs of appellants in the memo of appeal within a week.

List this case after four weeks.

Meanwhile, call for the record of the Court/s below.

Sd/-

(Narendra Kumar Vyas)
Judge