



HIGH COURT OF CHHATTISGARH AT BILASPUR

FA No. 91 of 2014

Damroodhar Sao thru Lrs . **versus** Shankaer Das thru Lrs

Order on Board

15/09/2025	Mr. Anand Gupta, Advocate for appellants. Mr. Manoj Kumar Jaiswal, Advocate for respondents No.1 (1) to 1 (5) and 3. Mr. Kalpesh Ruparel, Panel Lawyer for respondent No.4-State. Heard on IA No.9/2025, application under Section 5 of Limitation Act, for condoning delay in preferring applications for substituting name of proposed legal heirs of appellant No.4 and for setting aside abatement on the death of appellant No.4. Pleadings made in IA No.9/2025 are not opposed by learned counsel appearing on behalf of respondent No.1 and 3 as also learned counsel for respondent No.4. On due consideration of contents of IA No.9/2025 and submission of learned counsel for respective parties, it is allowed. Delay in filing IA No.7/2025 and 8/2025 is allowed. Also heard on I.A. No.7/2025, which is an application filed under Order 22 Rule 3 r/w Section 151 of CPC for
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substituting name of proposed legal heirs of appellant No.4; and IA No.8/2025, application under Order 22 Rule 9 r/w Section 151 of CPC for setting aside abatement.

On due consideration, IA No.7/2025 and 8/2025 are allowed.

Abetment on the death of appellant No.4 is set aside. As learned counsel for appellants has already filed Vakalatnama on behalf of proposed legal heirs of deceased appellant No.4, it is directed that name of proposed legal heirs of deceased appellant No.4 be substituted in its place in cause title within a week.

Also heard on I.A. No.2/2022, an application filed under Order 22 Rule 4 of CPC for substituting name of respondent No.2 Devanand Das Bairagi by his legal heirs; IA No.3/2022, application filed under Order 22 Rule 9 of CPC and application filed under Section 5 of the Limitation Act.

Issue notice on these applications to proposed legal heirs of respondent No.2. PF as per rules. Notice be made returnable in three weeks.

List the matter after service is complete.

Sd/-
(Parth Prateem Sahu)
Judge

roshan/-