

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

SA No. 494 of 2017Ramdev **Versus** Kenda

21.03.2024	<p>Mr. A. K. Prasad, Counsel for the appellants.</p> <p>Mr. Navneet Kumar Yadav, Counsel for the respondent No. 3-A, B, C, D.</p> <p>Mr. Shailesh Kumar Puriya, PL for the State/Respondent No. 12.</p> <p>This matter is taken up for hearing on I. A. No. 09/2022, filed under Order 22 Rule 4 of CPC for substitution of legal representatives of respondent No. 3, IA No. 12/2023, filed under Order 22 Rule 3 of CPC for substitution of legal representatives of appellant No. 23, IA No. 10/2022 and IA No. 13/2023, filed under Order 22 Rule 9 of CPC for setting aside abatement, IA No. 11/2022 & IA No. 14/2023, for condonation of delay.</p> <p>The respondent No. 3 died on 09.03.2019 and appellant No. 23 died on 03.10.2022 and the aforesaid applications are supported by respective affidavees.</p> <p>On due consideration, IA No. 11/2022 & IA No. 14/2023 are allowed. Delay in filing the applications under Order 22 Rule 4, 3 & under Order 22 Rule 9 of CPC stand condoned.</p> <p>As a consequence IA No. 10/2022 & IA No. 13/2023 for setting</p>

aside abatement stand allowed. Order of abatement, if any, stands set aside.

Finally, IA No. 09/2022 & IA No. 12/2023 also stand allowed.

On appellants' carrying necessary amendments within a period of 10 days and on payment of process fee within a period of 07 days by ordinary as well as registered post to the proposed legal heirs of deceased appellant No. 23, let notice issued making it returnable within 6 weeks.

Accordingly IA No. 15/2024, application for urgent hearing is disposed of.

List this matter for further hearing after service of notice.

Sd/-
(Rajani Dubey)
JUDGE