

**HIGH COURT OF CHHATTISGARH AT BILASPUR****MAC No. 1445 of 2019****Setram Rathiya *versus* Dhaneshwar Chouhan****MAC/538/2020****Order Sheet**

11/03/2025	Mr. Divyanand Patel, Advocate on behalf of Mr. HS Patel, counsel for the appellants in MAC No.1445/2019 and Mr. Roop Naik, counsel for the appellants in MAC No.538/2020. Ms. Swati Agrawal, counsel for respondent No.3/insurance company. <u>MAC No.1445/2019</u> Heard on IA No.02/2023, application under order 22 Rule 10A of CPC; IA No.03/2025 application under Order 22 Rule 4 of CPC for substitution of legal representatives of respondent No.1 Dhaneshwar Chouhan; IA No.04/2025 application under Order 22 Rule 9 of CPC and IA No.05/2025, application u/s 5 of Limitation Act. Learned counsel for the appellants as well as counsel



	for respondent No.2 submits that respondent No.1 Dhaneshwar Chouhan has died on 6.5.2022 leaving behind his wife who is already on record as respondent no.2 and other legal representatives i.e. three daughters who may be permitted to be brought on record for prosecuting this appeal. Considering the facts and circumstances of the case, the Motor Vehicles Act being a beneficial legislation, delay in filing the application for setting aside abatement is condoned and all the aforesaid applications are allowed. Counsel for the appellants is directed to carry out necessary amendments in the cause title within 10 working days. List both these appeals in the last week of April, 2025. Sd/ (Rajani Dubey) Judge
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