

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

SA No. 199 of 2013

Sukri And Ors. **Versus** Somaru And Ors.

28.06.2022	Mr. Mayank Chandrakar, Advocate for the Appellants. Mr. Chitendra Singh, PL for the State/respondent No.4. Heard on IA No. 02/2021, an application filed under under section 5 of the Limitation Act for condonation of delay in filing the application for substitution of legal representative of deceased respondent No. 3 to 6. Counsel for the appellants would submit that during pendency of the appeal, in the year 2016 respondent No. 4 Dundi, in the year 2019, respondent No. 4 Lakmu, in the year 2008 respondent No. 5 Deoo and in the year 2016 respondent No. 6 Chaitu had expired. He would submit that appellants are poor rustic villagers residing in a remote area in District Bastar and have no knowledge about the legal technicalities of law and could not inform timely their counsel about the death of respondents No. 3 to 6, therefore, the delay occurred in filing of the application may be condoned. On due consideration, I.A. No. 2/2021 is allowed. Heard on I.A. No. 1 of 2021, under Order 22 Rule 4 CPC. Counsel for the appellants would submit that during pendency of the appeal respondents No. 3 to 6 have died leaving behind their legal representatives of Respondent No.3 Manglu, Puja, Respondent No. 4 Tulu, Bula, Respondent No. 5 Bangalu and Respondent No. 6 Lachni, Mansai, Sonsai, Dalsai and Ramesh.

On due consideration, the same is allowed.

Also heard on I.A. No.3 of 2021 under Order 22 Rule 9 CPC.

For the reasons stated in the application, same is allowed. Let the legal representatives of deceased respondents No. 3 to 6 be substituted.

Let necessary amendment in the cause title be carried out within two weeks.

List this case for admission after four weeks.

Sd/-

(Narendra Kumar Vyas)

Judge