



HIGH COURT OF CHHATTISGARH AT BILASPUR
SA No. 520 of 2019

R L CHOUDHARI (died) Through Legal heirs **versus** GAYATRI AGRAWAL
and others

Order Sheet

18.11.2025	<p style="text-align: center;">Shri Manoj Paranjpe, Senior Advocate along with Shri Sandeep Patel, counsel for the appellants.</p> <p style="text-align: center;">Shri Kalpesh Ruparel, PL for the State.</p> <p style="text-align: center;">Shri Anand Shukla and Shri Parth Shrivastava, counsel for respondents-1 to 4.</p> <p style="text-align: center;">None appears for respondent-5.</p> <p style="text-align: center;">Heard on IA-9 of 2025, application for deleting the name of respondent-5, Balram Vishwakarma.</p> <p style="text-align: center;">Learned counsel for the appellants would submit that respondent-5 has died on 10.10.2020. Since a decree of dispossession has been passed for vacant possession of the suit property in favour of the plaintiffs against four defendants including the deceased respondent-5, and the specific portion of the land for</p>
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which respondent-5 was in possession of only 2,000 sft (50 X 40), and therefore, the decree is divisible, and the entire appeal would not abate on the death of respondent-5, and therefore, the plaintiffs want to delete the name of deceased respondent-5 from the cause-title of the appeal memo for substituting of his legal representatives.

Learned counsel for appearing for respondents-1 to 4 have no objection in deleting the name of respondent-5.

On due consideration and for the reasons mentioned in the application, it is allowed, and the appellants are permitted to delete the name of respondent-5, namely, Balram Vishwakarma from the cause-title of the appeal memo.

Necessary amendment shall be carried out within 10 days from today.

List this case thereafter.

Sd/-
(Ravindra Kumar Agrawal)
JUDGE