

Pushap Raj and others vs. Khoob Ram and others

RSA No. 166 of 2008

21.09.2022 Present: Mr. Romesh Verma, Advocate, for the appellants.

Mr. Praveen Chauhan, Advocate vice Mr. Y.P. Sood, Advocate, for respondent No.1.

None for respondents No.2(a), 2(b) & 2(d), 3, 4 and 6 to 10.

Name of legal representative No.2(c) stands deleted.

CMP(M) No.1983 of 2019

As per report of the Registry, proposed legal representatives No. 5(a) to 5(e) stand served. As none has put in appearance on their behalf, accordingly, they are ordered to be proceeded against ex parte.

By way of this application filed under Order 22 Rule 4, read with Rule 9 of the Code of Civil Procedure as also under Section 5 of the Limitation Act, a prayer has been made to bring on record legal representatives of deceased respondent No.5 who is stated to have died during the pendency of the appeal on 19.06.2019 and also for setting aside the abatement and for condonation of delay in filing the application.

No reply is intended to be filed to the application by the appearing non-applicant.

Having heard, learned counsel for the parties and having perused the averments made in the application, the same is