

RFA No. 317 of 2008

13.4.2017 Present:

Mr. T.S. Chauhan, Advocate, for the appellant.

Mr. Bimal Gupta, Sr. Advocate with Ms. Kusum Chaudhary, Advocate, for respondent No.1.

Mr. Vivek Singh Attri, Dy. A.G., for the Local Commissioner.

CMP(M) No. 2261 of 2016 in RFA No. 317 of 2008 and CMP No. 1722 of 2016 in CMP No. 7507 of 2015

Co-respondent No. 1 Luder Chand during the pendency of the instant appeal died on 5.8.2016. Given the good and sufficient cause made out in the application aforesaid for condoning the delay in moving the application bearing CMP(M) No. 2261 of 2016) before this Court for begetting substitution of deceased co-respondent No. 1 aforesaid by his LRs, hence the delay, if any, as stands occurred, stands condoned. Abatement, if any, stands set aside. Since the substitution of deceased co-respondent No. 1 by his LRs is imperative for a continuation of the lis, hence the application is allowed. Consequently, the LRs of deceased co-respondent No. 1 as enumerated in the application, contents whereof stand supported by an affidavit are hence permitted to be substituted in his place. Applications stand disposed of. Amended memo of parties, if not filed, be filed within one week. No notices need to be issued to newly impleaded LRs of deceased co-respondent No. 1 as they already stands represented by Mr. T S Chauhan, Advocate.

CMP No. 7507 of 2015

Subject to steps being taken within one week,
the matter be listed for recording of the depositions of the
applicants witnesses on a date to be fixed by the Registry of
this Court.

13th April, 2017
(priti/kck)

**(Sureshwar Thakur),
Judge.**