

NIC Ltd. Vs. Chirag Thakur & Ors.

FAO No. 84/2022

22.12.2025 Present: Ms. Leena Guleria, Advocate, vice Mr. Pushpinder Singh Jaswal, Advocate, for the appellant.

Mr. Ajay Chandel, Advocate, for respondent No. 1.

Mr. Mayank Sharma, Advocate, vice Mr. Sunil Thakur, Advocate, for respondents No. 2(i) to 2(ii).

None for respondent No. 3.

Respondents No. 2(c)(i) and 2(c)(ii) are ex parte.

CMPs(M) No. 722 & 723/2025

The instant applications, under Order 22, Rule 4, read with Section 151 of the Code of Civil Procedure and Section 5 of the Limitation Act, have been filed by the applicant for bringing on record the legal representatives of deceased respondent No. 2(c), Prabhi Devi and for condonation of delay in filing the application. The application is duly supported by an affidavit of applicant, Sunita Verma, as well as death certificate of the deceased. No reply to the applications is intended to be filed and learned counsel for the non-applicants/respondents have no objection in case the same is allowed.

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As per the applicant, respondent No. 2(c) has expired on 26.06.2024 and left behind the legal representatives, as mentioned in para-2 of the application (CMP.M No. 722 of 2025), who are already on record as respondents No. 2(a) and 2(b). However, the delay in filing the application has occurred, as the applicant was not aware about the death of the deceased. Therefore, the delay, as occurred is neither intentional, nor willful, but was beyond the control of the applicant and deserves to be condoned in the interest of justice.

Heard. Taking into consideration the fact that the delay, as occurred, was beyond the control of the applicant and has been sufficiently explained in the application, as such, the same is condoned.

As right to sue still survives in favour of the legal representatives of deceased respondent No. 2(c), the application is allowed and legal representatives, who are already on record as respondents No. 2(a) & 2(b), are ordered to be taken on record, being legal representatives of deceased respondent No. 2(c), after setting aside the abatement, if any.

The applications stand disposed of.

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Amended memo of parties, as prayed, be filed
within two weeks.

List on **07.01.2026**.

(Sushil Kukreja)
Judge

22nd December, 2025
(raman)