

Teja Ram Vs. Ramesh Chand

RSA No. 570 of 2015

18.9.2023 Present: Mr. Praveen Chauhan, Advocate vice Mr. Y.P. Sood, Advocate, for the proposed LR's of appellant.

Mr. Nishant Khidtta, Advocate vice Mr. V.D. Khidtta, Advocate for the respondent/non-applicant.

CMP(M)s No. 1164 and 1165 of 2023

By way of applications, filed under Order 22 Rules 3 and 9 read with Section 151 of the CPC and Section 5 of the Limitation Act, the applicant has prayed that legal representatives of deceased appellant, Late Sh. Teja Ram, who as per averments contained in the application, expired on 11.9.2021 be ordered to be brought on record, after condoning the delay, since the present application has been filed after the prescribed period of limitation.

In view of no objection made by learned counsel appearing for the non-applicant, both the applications are allowed. The delay in filing CMP(M) No. 1164 of 2023 is condoned and the legal representatives of deceased appellant are ordered to be brought on record, by setting aside the abatement, if any. The legal representatives of deceased appellant, whose names have been mentioned in para-7, are ordered to be impleaded as appellants No. 1(a), 1(b) and 1(c). The applications are, thus, disposed of.

RSA No. 570 of 2015

Amended memo of parties be filed within four weeks. List on 30.10.2023.

(Virender Singh)
Judge

September 18, 2023
(kalpana)