

**Kalyan Singh Chauhan & another vs. M/s P.K.
Construction & others a/w connected matter
FAO No.4241 of 2013 a/w FAO No.77 of 2014**

26.06.2024 Present: Mr. Shyam Singh Chauhan, Advocate, for appellants in FAO No.4241 of 2013 and for respondents No.1 and 2 in FAO No.77 of 2014.

Mr. Anirudh Sharma, Advocate, for the appellants in FAO No.77 of 2014 and for respondent No.3 in FAO No.4241 of 2013.

Mr. Dibender Ghosh, Advocate, for respondents No.1 and 2 in FAO No.4241 of 2013 and respondents No.3 and 4 in FAO No.77 of 2013.

CMP(M) No.578 of 2024 in FAO No.4241 of 2013

By way of this application, a prayer has been made to bring on record of deceased-appellant No.1 (Shri Kalyan Singh).

In terms of the averments made in the application, the deceased is survived by his wife who is appellant No.2 and one Shri Bharat Singh, who is his son.

In view of the averments made in the application, the same is allowed, as prayed for. Deceased-appellant No.1 is ordered to be substituted by his legal representatives. Bharat Singh is impleaded as appellant No.1 (a). The factum of Smt. Shupi Devi as already being on record as appellant No.2 is ordered to be taken on record. The

application stands disposed of.

CMP(M) No.579 of 2024 in FAO No.4241 of 2013

By way of this application, a prayer has been made for condonation of delay in filing the application to bring on record legal representatives of deceased-appellant No.1 and setting aside abatement.

Having perused the averments made in the application, the same is allowed, as prayed for. Delay in filing the application is condoned. Abatement is set aside. The application stands disposed of.

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Mr. Shyam Singh Chauhan, learned counsel, has put in appearance on behalf of Shri Bharat Singh. Amended memo of parties, if not already filed, be filed within two weeks.

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Learned counsel for the appellants prayed for and is granted three weeks' time to file appropriate application to bring on record legal representatives of deceased-appellant (Shri Kalyan Singh).

(Ajay Mohan Goel)
Judge

June 26, 2024
(Rishi)