

IN THE HIGH COURT OF JHARKHAND, RANCHI
S.A. No.283 of 2005

Bichhu Rana & Anr.		Appellants
--Versus--		
Pritam Rana & Ors.	...	Respondents

CORAM : HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Appellants	:	Mr. K. K. Singh, Advocate Mr. Sanjay Kumar, Advocate
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12/ Dated : 13th January, 2020

I.A. No.616 of 2011 has been filed for substituting name of the legal heir/ successors of the respondent nos.1 and 2.

Mr. K.K. Singh, the learned counsel appearing for the appellants submits that there is delay in filing the substitution petition and for condonation of delay I.A. No.611 of 2011 has been filed.

The learned counsel for the appellants submit that as soon as it has come to the knowledge of the appellants that the respondent no.1 and 2 have died immediately the petition for substitution was filed and that is why there is delay in filing the substitution petition. He submits that sufficient reasons have been stated in paragraph no.6 onwards of the said I.A. for condonation of delay.

Considering the above submissions and looking into the reasons assigned by the appellants in the I.A. No.611 of 2011, delay in filing the substitution petition is condoned.

Mr. Singh, the learned counsel submits that the name of the legal heirs/successors of the deceased respondent nos.1 and 2 have been provided in paragraph no.5 of the said I.A. He further submits that there is a prayer for setting aside the abatement against the respondent nos.1 and 2. In view of the above facts and submissions, the abatement against the respondent nos.1 and 2 are set aside. The prayer is allowed. The learned counsel appearing for the appellants is directed to make out necessary correction with regard to the deceased respondent nos.1 and 2.

I.A. No.616 of 2011 and I.A. No.611 of 2011 stand allowed and disposed of.

(Sanjay Kumar Dwivedi, J.)