

S.A. No. 55 of 2003				
Smt. Swatantri Devi		...	...	Appellant
	Versus			
Kanti Devi and others		...	...	Respondents

For the Appellant : Ms. Akriti Shree, Advocate
: Mr. Kushal Kumar, Advocate
For the Resp. No.1 : Mr. Amresh Kumar, Advocate

I.A. No. 5046 of 2024

2. This interlocutory application has been filed for modification of order dated 06.05.2024 by stating that that a submission was made on that day seeking a direction from this Court to file petition for substitution of respondent no. 4, but the respondent no. 4 is alive.

3. Considering the averments made, I.A. No. 5046 of 2024 is allowed and the order dated 06.05.2024 is hereby modified to the extent that the substitution petition was required to be filed only in connection with respondent nos. 1 and 5 and not with respect to respondent no.4.

I.A. No. 5045 of 2024 & I.A. No. 8417 of 2024

4. I.A. No. 5045 of 2024 has been filed seeking substitution of legal heirs and successors of respondent nos. 1 and 5 whose details have been mentioned in paragraphs 3 and 4 of the interlocutory application.

5. The records also reveal that interlocutory application being I.A. No. 8417 of 2024 has been filed for condonation of delay in filing petition for substitution of legal heirs and successors of respondent nos. 1 and 5 and also for setting aside abatement with respect to respondent nos. 1 and 5.

6. Let notice be issued to the proposed legal heirs and successors of respondent nos. 1 and 5 in both the interlocutory applications

through the concerned police station, for which requisites etc. be filed within one week, failing which this second appeal will stand dismissed as against the concerned respondents without any further reference to the Bench.

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7. There are interlocutory applications filed in connection with substitution of sole appellant who has expired i.e., through I.A. No. 5060 of 2024 read with I.A. No. 8416 of 2024. *Vakalatnama* on behalf of legal heirs and successors of the deceased appellant has been filed along with petition of I.A. No. 5060 of 2024.

8. Post on 25th August 2025.

(Anubha Rawat Choudhary, J.)

Pankaj