

IN THE HIGH COURT OF JHARKHAND AT RANCHI

S. A. No. 70 of 2023

Punnalal Sharma @ Punalal Sharma	...	...	Appellant
	Versus		
Dip Narayan Singh	...	...	Respondent

CORAM :HON'BLE MRS. JUSTICE ANUBHA RAWAT CHOUDHARY

For the Appellant	: Mr. Kanishka Deo, A.C. to Mr. Amit Kr. Das, Advocate
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05/21.07.2025

1. Learned counsel for the appellant has submitted that the defect No.1 has been removed by deleting the interim relief in the prayer portion of the memo of appeal and he submits that since no separate petition for stay has been filed therefore, it has been stated to have been partially removed. He submits that the surviving defect, if any, in connection with defect No.1 be ignored.
2. Considering the submission and the prayer for interim relief having been deleted from the prayer portion, the defect No.1 does not survive.
3. With respect to defect No.2, the learned counsel has submitted that before the learned trial court the name of the appellant was mentioned as Punalal Sharma, Son of Late Bajranglal Sharma and before the learned 1st appellate court the appeal was filed and the spelling of 'Punalal Sharma' has been mentioned as 'Punnalal Sharma', Son of Late Bajranglal Sharma. He submits that with respect to the spelling, the defect has been pointed out. Learned counsel submits such defect may be ignored.
4. Considering the aforesaid submission, the defect in connection with defect No.2 with regard to alias name of the appellant is ignored.

I.A. No. 8056 of 2025.

5. This interlocutory application has been filed for substitution of the sole appellant who has expired during the pendency of the case i.e.

on 24.02.2025. The name of the legal heirs and successors has been mentioned in paragraph 4 of the interlocutory application.

6. Considering the aforesaid submission and the averments made in the interlocutory application seeking substitution, the interlocutory application No. 8056 of 2025 is allowed subject to any objection which may be raised by the respondent, if ultimately the appeal is admitted and notice is issued upon the respondent.

7. Learned counsel for the appellant is directed to delete the name of the appellant from the cause title and insert the name of the legal heirs and successors as mentioned in the paragraph 4 of the interlocutory application in 'red ink' during the course of the day.

8. Office is directed to place this case under appropriate heading on 28th July, 2025.

(Anubha Rawat Choudhary, J.)

Rakesh/-