

IN THE HIGH COURT OF JHARKHAND AT RANCHI

S. A. No. 190 of 2003

Suresh Thakur & Ors. **Appellants**

Versus

Kusum Lata Devi & Anr. **Respondents**

With

S. A. No. 178 of 2003

Suresh Thakur & Ors. **Appellants**

Versus

Chandra Basu & Ors. **Respondents**

CORAM: HON'BLE MR. JUSTICE GAUTAM KUMAR CHOUDHARY

For the Appellant : Mr. B.V. Kumar, Advocate

For the Respondents : Mr. Ayush Aditya, Advocate

Oral Order

13 / Dated : 15.02.2022

I.A. No. 396 of 2022 in S. A. No. 190 of 2003

Heard learned counsel for the appellants in I.A. No. 396 of 2022 which has been filed under Order 22 Rule 3 and 9 read with Rule 11 of C.P.C. for substitution the name of legal heirs of the deceased appellant no. 7 who died on 28.04.2021 as mentioned in paragraphs-1 and 3 of this application.

It is submitted that the delay has occurred due to unavoidable circumstance because of Covid-19 pandemic and the delay is purely unintentional.

Under the circumstances, the delay is condoned and the substitution petition is allowed.

Let the legal heirs of the deceased appellant no. 7, as fully described in paragraphs 1 and 3 of this application, be substituted in her place.

Office is directed to make necessary entries in the cause title of the memo of appeal.

I.A. No. 7269 of 2021 in S. A. No. 178 of 2003

Heard learned counsel for the appellants in I.A. No. 7269 of 2021 which has been filed under Order 22 Rule 3 and 11 of C.P.C. for

substitution the name of legal heirs of the deceased appellant no. 7 who died on 28.04.2021 as mentioned in paragraph-3 of this application. The substitution petition has been filed within time.

Under the circumstances, I.A. No. 7269 of 2021 is allowed.

Let the legal heirs of the deceased appellant no. 7, as fully described in paragraph 3 of this application, be substituted in her place.

Office is directed to make necessary entries in the cause title of the memo of appeal.

S.A. No. 190 of 2003 with S.A. No. 178 of 2003

List these cases on 22.02.2022 under the “For Hearing”.

Other interlocutory applications will be considered at the time of final hearing.

(Gautam Kumar Choudhary, J.)

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