

IN THE HIGH COURT OF JHARKHAND AT RANCHI
S.A. No. 240 of 2002

Bhupendra Nath Sen & Ors

..... Appellants

Versus

Lakhi Narayan Dutta .

..... Respondent

CORAM: HON'BLE MR. JUSTICE ANANT BIJAY SINGH

07/Dated: 21/06/2017

I.A. No. 825 of 2015 has been filed under section 5 of Limitation Act for condonation of delay in filing the substitution of appellant no. 1 namely, Bhupendra Nath.

Counsel for the respondents opposed the prayer made by the counsel for the appellants.

For the reasons stated in para 3 of the interlocutory application I.A. No.825 of 2015 stands allowed. Delay in delay in filing the substitution petition of appellant no. 1 namely, Bhupendra Nath is condoned subject to the cost of Rs. 500/- to be deposited by the appellants before the President/Secretary, Jharkhand High Court Advocates' Clerk Association, Ranchi within two weeks.

I.A. No. 829 of 2015 has been filed under Order XXII Rule 3 C.P.C stating therein that during pendency of this appeal appellant no. 1 has died on 30.03.2014 leaving behind his legal heirs as mentioned in para 6 of the interlocutory application so he may be permitted to substitute the legal heirs of the appellant no.1.

For the reasons stated in the interlocutory application I.A. No. 829 of 2015 stands allowed. Let the name of the legal heirs of the appellant no. 1 as mentioned in paragraph 6 of the application be substituted in place of appellant no. 1. Let necessary correction be made out in red ink.

Counsel for the appellant has submitted that he would file vakalatnama on behalf of the substituted appellants.

Let a copy of this order be communicated to the President/Secretary, Jharkhand High Court Advocates' Clerk Association, Ranchi.

(Anant Bijay Singh, J.)

Satyarthi/-