

IN THE HIGH COURT OF JHARKHAND AT RANCHI
L.P.A. No. 441 of 2019

Surendra Kumar Sharma @ Surendra Sharma & Anr.

.. ... **Appellants**

Versus

Kanhai Sharma & Ors.

... ... **Respondents**

CORAM: HON'BLE MR. JUSTICE RONGON MUKHOPADHYAY
HON'BLE MR. JUSTICE PRADEEP KUMAR SRIVASTAVA

For the Appellants : Mr. K.K. Ambastha, Advocate

For the Respondents : Mr. Rakesh Kumar Shahi, Advocate

Order No. 19/ Dated: 31st July, 2025

I.A. No. 8463 of 2025

This application has been preferred by the appellants for condoning the delay in filing the substitution application.

2. It has been submitted that the appellants were not aware about the death of the respondent No. 1 and as soon as they came to know about the said fact, the application has been filed for substituting the respondent No. 1 by his legal heirs.

3. Learned counsel appearing on behalf of respondent do not oppose this application.

4. Accordingly, delay in filing the substitution application is condoned and I.A. stands disposed of.

I.A. No. 8513 of 2025

5. Heard Mr. Kundan Kumar Ambastha, learned counsel for the appellants.

6. This application has been preferred by the appellants for substituting respondent No. 1 who has died on 27.08.2013 and is survived by his legal heirs as mentioned in para 3 of the instant application.

7. On consideration of the aforesaid facts, we allow this application and respondent No. 1 is directed to be substituted by his legal heirs as mentioned at para 3 of the instant application.

8. Office is directed to do the needful.

9. Learned counsel for the respondent No. 1 is directed to take instruction as to whether he will appear on behalf of the substituted legal heirs of respondent No. 1 or not.

10. Let this matter be listed on 27th August, 2025.

(Rongon Mukhopadhyay, J.)

(Pradeep Kumar Srivastava, J.)

Basant/Arpit