

IN THE HIGH COURT OF JHARKHAND AT RANCHI
S.A. No. 174 of 2008

With
S.A. No. 194 of 2008

Ved Vyas Choubey & Ors. Appellants
Versus
Ram Naresh Choubey & Anr. Respondents

CORAM : HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Appellants : Mr. Baban Prasad, Advocate
For the Respondents : Mr. Abhay Kr. Mishra, Advocate

Order No.05 Dated- 15.06.2022

I.A. No.6049 of 2016 (In S.A. No.174 of 2008)

Heard the parties.

Learned counsel for the appellants submits that this interlocutory application has been filed with a prayer to substitute the legal representatives of the deceased appellant no.1-Ved Vyas Choubey. It is submitted by the learned counsel for the appellants that appellant no.1- Ved Vyas Choubey died on 16.06.2016 leaving behind his only three legal representatives whose names, parentage and addresses have been mentioned at paragraph no.2 of this interlocutory application. It is further submitted that this petition has been filed within time. Hence it is submitted that the prayer for substitution be allowed.

Learned counsel for the respondents does not have any objection to the prayer for substitution.

Considering the aforesaid facts and circumstances of the case, the prayer to substitute the three legal representatives of the deceased appellant no. 1 whose names, parentage and addresses have been mentioned in paragraph -2 of the interlocutory application as appellant nos. 1 (a) to 1 (c) is allowed.

Registry is directed to incorporate the names, parentage and addresses of the said appellant nos. 1 (a) to 1 (c) in the cause title of the appeal memo with red ink and mention the word "Dead" against the

name of the appellant no.1.

Mr. Baban Prasad, the learned counsel for the appellants undertakes to file power on behalf of the appellant nos. 1 (a) to 1 (c) with a week.

This interlocutory application is disposed of accordingly.

(Anil Kumar Choudhary, J.)

I.A. No.6048 of 2016 (In S.A. No.194 of 2008)

Heard the parties.

Learned counsel for the appellants submits that this interlocutory application has been filed with a prayer to substitute the legal representatives of the deceased respondent no.1-Ved Vyas Choubey. It is submitted by the learned counsel for the appellants that respondent no.1- Ved Vyas Choubey died on 16.06.2016 leaving behind his only three legal representatives whose names, parentage and addresses have been mentioned at paragraph no.2 of this interlocutory application. It is further submitted that this petition has been filed within time. Hence it is submitted that the prayer for substitution be allowed.

Learned counsel for the respondents does not have any objection to the prayer for substitution.

Considering the aforesaid facts and circumstances of the case, the prayer to substitute the three legal representatives of the deceased respondent no. 1 whose names, parentage and addresses have been mention in paragraph -2 of the interlocutory application as respondent nos. 1 (a) to 1 (c) is allowed.

Registry is directed to incorporate the names, parentage and addresses of the said respondent nos. 1 (a) to 1 (c) in the cause title of the appeal memo with red ink and mention the word "Dead" against the name of the respondent no.1.

Mr. Baban Prasad, learned counsel for the other respondents receives notice on behalf of respondent nos. 1 (a) to 1 (c) and

undertakes to file *vakalatnama* with a week on their behalf.

This interlocutory application is disposed of accordingly.

(Anil Kumar Choudhary, J.)

S.A. No. 174 of 2008

Both the learned counsel for the parties prays for time.

Prayer for time is allowed as a last chance.

List these appeals after eight weeks.

Sonu-Gunjan/-

(Anil Kumar Choudhary, J.)