

IN THE HIGH COURT OF ORISSA AT CUTTACK
S.A. No.174 of 1996

Surubali Guru and others *Appellant(s)*
Mr.

-versus-

Manabhangi Guru and others *Respondent(s)*
Mr.

CORAM:
JUSTICE ANANDA CHANDRA BEHERA

Order No.
15.

ORDER
08.02.2024

I.A. Nos.107 & 108 of 2022

1. This matter is taken up through hybrid arrangement (virtual/physical) mode.
2. These two I.As. have been filed on behalf of the Appellants for substitution of the LRs of the deceased Respondent Nos.3 & 8.
3. As these two I.As. have been filed after abatement of the appeal against the Respondent Nos.3 & 8, for which, learned counsel for the Appellants is directed to file requisites for issuance of notices to the PLRs of the deceased Respondent Nos.3 & 8.

(A.C. Behera)
Judge

Misc. Case No.229 of 2003

1. This Misc. Case has been filed on behalf of the Appellants with a prayer for deletion of name of Appellant No.4 because he has no LRs.
2. Therefore, the above Misc. Case is allowed.

3. Registry is directed to make an endorsement against the name of the deceased Appellant No.4 as dead.

(A.C. Behera)
Judge

Misc. Case No.230 of 2003

1. This Misc. Case has been filed on behalf of the Appellants for substitution of the LR's of the deceased Respondent No.10.
2. As this Misc. Case has been filed within time, for which, there is no impediment under law to allow the same.
3. Hence, the above Misc. Case is allowed.
4. LR's of the deceased Respondent No.10 be substituted in her place.
5. Learned counsel for the Appellants is directed to file consolidated cause title of the appeal memo incorporating the names of the LR's of the deceased Respondent No.10 after serving copy thereof on the learned counsel for the Respondents.
6. Registry is directed to incorporate the names of the LR's of the deceased Respondent No.10 in the cause title of the appeal memo.
6. Learned counsel for the Appellant is directed to file requisites for issuance of appeal notice to the LR's of the deceased Respondent No.10.
7. Accordingly, the above Misc. Case is disposed of finally.

(A.C. Behera)
Judge

S.A. No.174 of 1996

1. Learned counsel for the Appellants has also filed a memo stating that, Respondent No.9 has expired without leaving any LR's. For which, he prayed for deletion of her name.
2. As there is no provision in the CPC to delete the name of any person once a name comes into record, for which, Registry is directed to make an endorsement against the name of the Respondent No.9 as dead.
3. List this matter on 02.05.2024.

(A.C. Behera)
Judge

Utkalika

