

HIGH COURT OF JUDICATURE FOR RAJASTHAN
JODHPUR

S.B. Civil First Appeal No. 237/1998

Kishan Chand

----Appellant

Versus

Smt. Sarita And Ors

----Respondents

For Appellant(s)	:	Mr. Manoj Rao
For Respondent(s)	:	Mr. Deepak Lilawat Mr. Chinmoy Shekhar Kotwani for Mr. C.S. Kotwani

HON'BLE MS. JUSTICE REKHA BORANA

Order

12/03/2026

1. The matter comes upon three applications: *First*, application under Order 22 Rule 3, CPC for substitution of the legal representatives of deceased appellant-Kishan Chand who is reported to have expired on 15.09.2025. *Second*, under Section 5 of the Limitation Act for condonation of delay in filing the application under Order 22 Rule 3, CPC.
2. For the reasons stated in the applications under Order 22 Rule 3, CPC and Section 5 of the Limitation Act, the same are **allowed**. The delay caused in filing the application under Order 22 Rule 3, CPC is condoned. The legal representatives of deceased appellant-Kishan Chand are permitted to be taken on record.
3. *Third*, application under Order 22 Rule 4, CPC has been filed on behalf of the legal representative of deceased respondent No.4- Abdul Majid seeking, his substitution.

4. A perusal of the record reveals that in pursuance to order dated 13.12.2004, the appeal already stood dismissed against respondent No.4 on 06.01.2005.

5. In that view, the legal representative of deceased respondent No.4 is not required to be impleaded. The application is hence, **disposed of.**

6. Let the amended cause title be filed within a period of one week.

7. Office to make online amendments thereafter.

(REKHA BORANA),J