

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR.**

..

S.B. Civil First Appeal No. 109 / 2012

Satya Narayan -----Appellant

Versus

Kera Ram & Ors. -----Respondents

Connected With

S.B. Civil First Appeal No. 12 / 2012

Bheekam Chand & Ors. -----Appellants

Versus

Satyanarayan & Anr. -----Respondents

S.B. Civil First Appeal No. 14 / 2012

Bheekam Chand & Ors. -----Appellants

Versus

Satyanarayan & Anr. -----Respondents

S.B. Civil First Appeal No. 110 / 2012

Satya Narayan -----Appellant

Versus

Man Singh & Ors. -----Respondents

For Appellant(s) : Mr. Mohit Choudhary on behalf of
Mr. Manoj Bhandari (Plaintiff)

For Respondent(s) : Mr. Rameshwar Hedau.
Mr. Vikas Hedau (Defendants)

JUSTICE DINESH MEHTA

Order

13/04/2018

Despite service of the notice of the applications under Order XXII Rule 4 of the Code, under Order XXII Rule 9 of the Code and Section 5 of the Limitation Act, nobody has appeared on behalf of

the legal representatives No. 1/1 to 1/4 to oppose the same.

(IA No. 103/2018 in CMA No.109/2012)

For the reasons stated in the application under Section 5 of the Limitation Act, seeking condonation of delay in taking requisite steps, in wake of death of respondent No.1 – Kera Ram, who has passed away on 01.05.2027, is allowed. The delay is condoned.

(IA No. 218/2018 in CMA No.109/2012)

The application under Order XXII Rule 9 of the Code, seeking setting aside of the abatement, on failure to take requisite steps, in wake of death of respondent No.1, within time, for the reasons stated, is allowed. The abatement is set aside.

(IA No. 136/2018 in CMA No.109/2012)

For the reasons stated in the application under Order XXII Rule 4 of the Code, the same is allowed. The legal representatives of the deceased respondent No.1, who has expired on 01.05.2017, mentioned in para – 3 of the application, are taken on record.

The amended cause title already filed by the appellant is also on record.

(CFA No.12/2012)

Issue notice of all the applications (IA No.494/2018, IA No. 495/2018 and CMCC No.205/2018) to the proposed legal representatives of the deceased respondent No.2 – Kera Ram.

(DINESH MEHTA), J.