

HIGH COURT OF JUDICATURE FOR RAJASTHAN
JODHPUR

S.B. Civil First Appeal No. 94/2018

Chandan Singh And Ors.

----Appellant

Versus

Smt. Rasal Kanwar And Ors.

----Respondent

For Appellant(s) : Mr. Vijay Purohit

For Respondent(s) : Mr. Naresh Singh

HON'BLE MR. JUSTICE MANOJ KUMAR GARG

Order

18/07/2024

An application (Inward No.01/23) under Order 22 Rule 10-A CPC has been filed by the counsel for the respondent for giving information about death of appellant-plaintiff No.3 and also praying for dismissal of the appeal as having become abated qua the appellant No.3

The other application under Section 5 of the Limitation Act has been filed by the appellant for condonation of delay in filing application under Order 22 Rule 3 & 9 CPC.

For the reasons mentioned in the application, the same is hereby allowed. Delay in filing application under Order 22 Rule 3 & 9 CPC is hereby condoned.

Another application (Inward No.01/24) under Order 22 Rule 3 & 9 CPC for bringing the legal heirs of appellant No.3 Kishore Singh on record.

For the reasons mentioned in the application (Inward No.01/24), the same is hereby allowed.

Since the legal heirs of deceased appellant No.3 Kishore Singh are hereby taken on record so the application filed by the respondent (Inward No.01/23) has become infructuous.

Learned counsel for the appellant has also filed an application under Section 5 of Limitation Act for condonation of delay in filing application under Order 22 Rule 4 & 9 CPC.

For the reasons mentioned in the application, the same is hereby allowed. Delay in filing application under Order 22 Rule 4 & 9 CPC is hereby condoned.

Counsel for the appellant has filed another application under Order 22 Rule 4 & 9 CPC for bringing the legal heirs of respondent No.2 on record.

For the reasons mentioned in the application, the same is hereby allowed.

Four weeks' time is hereby granted to the counsel for the appellant for filing amended cause title.

(MANOJ KUMAR GARG),J