

HIGH COURT OF JUDICATURE FOR RAJASTHAN
JODHPUR

S.B. Civil Miscellaneous Appeal No. 687/2008

Project Engineer Sen.R.H.B.Dungarpur

----Appellant

Versus

Mavji And Ors.

----Respondent

For Appellant(s) : Mr. MS Panwar.

For Respondent(s) : Mr. DLR Vyas.

HON'BLE MR. JUSTICE MUKESH RAJPUROHIT
Order

18/04/2026

The matter comes up on applications (I.A. Nos. 01/2026 & 02/2026) under Order XXII Rules 4 and 9 CPC read with Section 151 of the Code of Civil Procedure, for taking the legal representatives of deceased respondent No. 1 - Mavji on record and for setting aside the effect of abatement of the appeal.

Learned counsel has also filed another application under Section 5 of the Limitation Act (Inward No. 03/2026) seeking condonation of delay in filing the application under Order 22 Rule 4 read with Section 151 of the Code of Civil Procedure.

For the reasons stated in the aforesaid applications, the same are allowed. The delay in filing the application under Order 22 Rules 4 read with Section 151 of the Code of Civil Procedure is condoned. The abatement of appeal qua deceased respondent No.1-(Mavji) is set aside. The legal representatives of deceased respondent No.1-(Mavji) are taken on record.

Amended cause title already filed be taken on record.

Mr. DLR Vyas, learned counsel is already appearing on behalf of the respondents and seeks time to complete his instructions.

List this matter on 23.04.2026.

(MUKESH RAJPUROHIT),J