

HIGH COURT OF JUDICATURE FOR RAJASTHAN
JODHPUR

S.B. Civil First Appeal No. 622/2019

Mohsin Ali

----Appellant

Versus

Urban Improvement Trust (Uit)

----Respondent

For Appellant(s) : Mr. Devendra Deelu

For Respondent(s) : Mr. Vijay Purohit

HON'BLE MR. JUSTICE FARJAND ALI

Order

05/05/2026

1. The matter has come up on an application moved on behalf of appellant No.2 averring that appellant-plaintiff No.2 has expired during pendency of the appeal and seeking taking of his legal representatives on record. A copy of the application has been supplied to Mr. Vijay Purohit, learned counsel appearing for the respondent, who does not object to the prayer made.

2. An application under Section 5 of the Limitation Act has also been filed seeking condonation of delay in filing the application under Order 22 Rule 3 CPC. For the reasons stated in the application and in absence of any objection from the respondent side, the application under Section 5 of the Limitation Act is allowed and the delay in filing the application stands condoned.

3. Consequently, the application under Order 22 Rule 3 read with Section 151 CPC is also allowed. The appellant-plaintiff No.2 shall stand substituted by his legal heirs as mentioned in para

No.2 of the application. The amended cause title has been filed;
the same is taken on record.

4. Office to proceed accordingly.

(FARJAND ALI),J

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