

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Second Appeal No. 76/2020

Ram Gupta S/o Shri Kunj Bihari Agarwal, Aged About 63 Years,
Resident Of 72, Rajamal Ka Talab, Chokadi Sarhad, Jaipur (Raj)

----Appellant

Versus

Arjun Lal S/o Shri Gyarshi Lal Dhobi, Resident Of Chokadi
Gangapole (Amber Drycleaners), Opposite Samrat Cinema, Amer
Road, Subhash Chowk, Jaipur (Raj.)

----Respondent

For Appellant(s)	:	Mr. Ankit Kumar & Mr. Mahendra Verma for Mr. Dinesh Yadav
For Respondent(s)	:	Mr. R.K. Daga with Mr. Pankaj Soni

HON'BLE MR. JUSTICE ASHOK KUMAR JAIN

Order

02/12/2024

1. Learned counsel for respondent(s) submits that they have moved an application under Order-22 Rule 10-A CPC on 18.01.2024 intimating death of sole respondent on 01.01.2023. He submits that the appeal stands abated as no steps were taken by appellant.
2. Learned counsel for appellant needs time for taking up steps.
3. Considering submissions of learned counsel for the parties, it has come to our notice that the copy of application was supplied on 18.01.2024. Prior to this a fact was also taken note by Co-ordinate Bench on 16.11.2023 that an application under Order 22 Rule 10-A CPC intimating death of Arjun Lal was filed in April, 2023, thereafter this matter was listed on multiple occasions.

4. Enough opportunities were already granted for taking up steps but no steps were taken even after intimation of death of sole respondent, therefore, this appeal cannot survive.
5. In view of aforesaid, the appeal is dismissed in abatement.
6. Misc. application, if any, stands disposed of.

(ASHOK KUMAR JAIN),J