

**IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR**

S.B. Civil First Appeal No. 151/1998
Mohar Singh & Ors. Vs. Sultan & Ors.

Date of Order: 09.03.2016

HON'BLE MR. JUSTICE VEERENDR SINGH SIRADHANA

Mr. Timan Singh, for the appellants.

In I.A.No.5416/2016:

The matter comes up on an interim application (5416/2016) with a prayer for condonation of delay in institution of the appeal.

For the reasons detailed out in the application and upon hearing the learned counsel for the applicant-appellant as well as having regard to the nature of controversy involved herein; the application merits acceptance.

Consequently, the application is hereby allowed.

Delay, in filing the appeal, is condoned.

Office of proceed.

In I.A.No.2971/2016:

The matter comes up on an interim application (2971/2016) with a prayer to take on record the legal representatives of respondent No.13-Zahara, who died on 25th December, 2014, a copy of the application, along with a copy of the application for condonation of delay, was furnished to the counsel for the opposite party.

Neither any response has been filed nor there is any representation on their behalf.

For the reasons detailed out in the application and upon hearing the learned counsel for the applicant-appellant; the application merits acceptance.

Consequently, the application is hereby allowed.

The amended cause title, enclosed with the application, shall be taken on record and arranged at the proper place in the record of the case file.

In view of the order made on the application for taking on record the legal representatives of respondent No.13-Zahara, the learned counsel for the appellant would deposit process fee and take out notice for service on the newly added respondents.

Needful be done within two weeks.

In case, pre-requisites are deposited within two weeks, office to proceed and issue notice.

In I.A.No.5415/2016:

The matter comes up on an interim application (5415/2016) under Order 22 Rule 9 read with Section 151 CPC, with a prayer for setting aside the abatement.

For the reasons detailed out in the application and upon hearing the learned counsel for the applicant-appellant as well as having regard to the nature of controversy involved herein; the application merits acceptance.

Consequently, the application is hereby allowed.

(VEERENDR SINGH SIRADHANA),J.

Pcg/23

All corrections made in judgment/order have been incorporated in the judgment/order being emailed. P.C.Gupta, P.S.

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