



HIGH COURT OF JUDICATURE AT ALLAHABAD

SECOND APPEAL No. - 1339 of 1981

Khelawan

.....Appellant(s)

Versus

Fairam And Another

.....Respondent(s)

Counsel for Appellant(s) : Ishir Sripat, Rahul Sripat, Rama Devi
Gupta
Counsel for Respondent(s) : A.S.Dewaker, K.S.Kushwaha,
Smt.Sraswati Rai, Vijai Jaiswal

Court No. - 38

HON'BLE SANDEEP JAIN, J.

Heard learned counsel for the appellant.

This delay condonation application has been filed for condoning the delay in filing the substitution application to bring on record the legal heir of the deceased respondent no.1/1, Bisheshar, who died on 18.04.2021, leaving behind his son, Chandra Bhushan, as his sole legal heir. Service on the proposed legal heir is sufficient, as the registered notices sent to him on 09.01.2024 have not been returned undelivered to date.

An affidavit has been filed in support of the delay condonation application and substitution application, which remains uncontroverted.

In view of the above, the delay in filing the substitution application is condoned.

The delay condonation application and the substitution application are allowed.

Learned counsel for the appellant is directed to amend the memo of appeal accordingly.

List this appeal after four weeks.

March 11, 2026
Mayank

(Sandeep Jain,J.)