

Court No. - 52

Case :- WRIT - B No. - 13039 of 1982

Petitioner :- Ram Nath

Respondent :- Board Of Revenue And Others

Counsel for Petitioner :- S.P. Singh, Shankatha Rai, Vinod Kumar Rai

Counsel for Respondent :- L.C. Srivastava, Anil Kumar Rai, Ashok

Kumar, K.B. Garg, L.S. Srivastava, R.K. Yadav, R.N. Singh, R.P.

Agarwal, S.C., S.N. Singh, Vishnu Singh

Hon'ble Chandra Kumar Rai, J.

Re: Civil Misc. Delay Condonation / Substitution Application Nos.276011 & 276013, both of 2015.

The instant applications have been filed to substitute the legal heirs of deceased respondent nos. 4 & 8 along with an application under Section 5 of the Limitation Act.

The reason for condonation of delay mentioned in the affidavit is satisfactory. Delay in filing the substitution application is condoned.

Let the word 'deceased' be mentioned against the names of respondent nos. 4 & 8 and the names of legal heirs as mentioned in the prayer clause be substituted as respondent nos. 8/1 to 8/3 respectively in the array of the parties and further a note be made that respondent no.4 died issueless.

The applications are, accordingly, disposed of.

Re: Civil Misc. Delay Condonation / Substitution Application Nos.281828 & 281829, both of 2015.

The instant applications have been filed to substitute the legal heirs of deceased sole petitioner along with an application under Section 5 of the Limitation Act.

The reason for condonation of delay mentioned in the affidavit is satisfactory. Delay in filing the substitution application is condoned.

Let the word 'deceased' be mentioned against the name of petitioner and the names of legal heirs as mentioned in the prayer clause be substituted as petitioner no. 1/1 to 1/6 respectively in the array of the parties.

The applications are, accordingly, disposed of.

Re: Civil Misc. Delay Condonation / Substitution Application

No.6986/1991.

The instant applications have been filed to substitute the legal heirs of deceased respondent no.1 along with an application under Section 5 of the Limitation Act.

Notice were issued to the proposed heirs of respondent no.1. Office report dated 5.2.2020 indicates that service is sufficient upon the heirs of respondent no.1 but no one appears on their behalf.

The reason for condonation of delay mentioned in the affidavit is satisfactory. Delay in filing the substitution application is condoned.

Let the word 'deceased' be mentioned against the name of respondent no.1 and the names of legal heirs as mentioned in the prayer clause be substituted as respondent nos. 1/1 to 1/6 respectively in the array of the parties.

The applications are, accordingly, disposed of.

Order on Appeal

Counsel for the respondent states that he has filed an abatement application in respect of deceased petitioner no.1/1 in the Registry in July, 2022 but the same is not on record, office to trace out and place the same on record.

List this matter on 1.11.2022.

Meanwhile, counsel for the petitioner shall file an appropriate substitution application to bring on record the legal heirs of deceased petitioner no. 1/1.

Order Date :- 20.9.2022

C.Prakash