

Court No. - 36

Case :- SECOND APPEAL No. - 423 of 1988

Appellant :- Jhummak Lal

Respondent :- Saral Kumar Bajpai

Counsel for Appellant :- Pradeep Kumar

Counsel for Respondent :- A.K.Dikshit, Arvind Kumar

Hon'ble Kshitij Shailendra, J.

Ref: Civil Misc. Delay Condonation Application No.02 of 2024

1. Heard learned counsel for the parties.
2. Cause for delay in filing the substitution application has been explained to the satisfaction of the Court.
3. Taking a liberal view of the matter and in the interest of justice, the delay is condoned.
4. The application seeking condonation of delay is **allowed**.

Ref: Civil Misc. Substitution Application No.03 of 2024

1. Heard learned counsel for the parties.
2. This application has been filed seeking permission to bring on record heirs/legal representatives of sole appellant, who has died pending appeal.
3. Considering the provisions of Order XXII, Rules 3 and 11 of Code of Civil Procedure, the application is **allowed**.
4. Abatement, if any, is set aside.
5. Office is directed to incorporate necessary substitution in the array of the parties within three weeks.

Ref: Civil Misc. Delay Condonation Application No.06 of 2024

1. Issue notice to proposed heirs of deceased respondent only.
2. Steps be taken by registered post within ten days.

Ref: Civil Misc. Substitution Application No.07 of 2024

1. Issue notice to proposed heirs of deceased respondent only.
2. Steps be taken by registered post within ten days.

Ref: Civil Misc. Substitution Application No.05 of 2024

1. Heard learned counsel for the parties.

2. This application has been filed seeking permission to bring on record heirs/legal representatives of appellant no.1/1, who has died pending appeal.
3. Considering the provisions of Order XXII, Rules 3 and 11 of Code of Civil Procedure, the application is **allowed**.
4. Abatement, if any, is set aside.
5. Office is directed to incorporate necessary substitution in the array of the parties within three weeks.

Order on Memo of Appeal:

List in the third week of September, 2024.

Order Date :- 29.7.2024

P Kesari