

Court No. - 4

Case :- SECOND APPEAL No. - 1289 of 1981

Appellant :- Babu Lal

Respondent :- Shahabuddin And Others

Counsel for Appellant :- R.N. Bhalla, Harish Chandra Singh, J.P. Tripathi, Kamlesh Kumar Tripathi, Naval Kumar Saxena, Pramod Kumar Srivastava, Rajendra Prasad Tiwari, Sheo Kinkar Singh, Shiv Singh, Vinay Kumar Tiwari

Counsel for Respondent :- M.A. Qadeer, Rafeek Ahmad Khan

Hon'ble Vivek Chaudhary, J.

C.M. Application No. 21 of 2022

Learned counsel for the appellant is present. No one is present for the respondents in the revised list.

Office vide report dated 27.04.2022 has reported that notice to respondent no. 4 has received with the noting died.

Learned counsel for the appellants in the aforesaid circumstances has filed this application. In the affidavit filed in support thereof he has stated that nobody in the locality could inform that respondent no.4 has expired as he is not living in the said area for quite sometime.

Since there is no proof that the respondent no.4 has expired, the application for deleting his name is not maintainable. It is accordingly dismissed.

Order on Appeal

On the request of learned counsel for the appellant, list in the next cause list for final disposal.

The application bearing C.M. Application No. 11 of 2021 will be considered at the time of final disposal of the appeal.

.

(Vivek Chaudhary, J.)

Order Date :- 11.11.2022

Arjun/-