

Court No. - 48

Case :- WRIT - B No. - 408 of 1982

Petitioner :- Prabhu Dayal

Respondent :- D.D.C. And Ors.

Counsel for Petitioner :- N.B. Nigam, Hare Krishna Tripathi

Counsel for Respondent :- S.C., B. Prasad, H S N Tripathi, K.N. Saxena, S.K. Tyagi, Umesh Chandra Prajapati, V P Shukla

Hon'ble Saurabh Shyam Shamschery, J.

Civil Misc. Substitution Application No. 187689/2009

Heard learned counsel for applicants on substitution application.

This application has been filed for substituting legal heirs of respondent No. 6.

Substitution application is **allowed** at the risk of petitioner.

Learned counsel for petitioner is directed to carry out necessary substitution within a week and shall also file amended memo of parties.

Civil Misc. Substitution Application No. 5/2021

Heard learned counsel for applicants on substitution application.

This application has been filed for substituting legal heirs of respondent No. 3.

Substitution application is **allowed** at the risk of petitioner.

Learned counsel for petitioner is directed to carry out necessary substitution within a week and shall also file amended memo of parties.

Civil Misc. Delay Condonation Application No. 10/2022.

and

Civil Misc. Substitution Application No. 11/2022.

As legal heirs of respondent No.3 have already been substituted by way of Civil Misc. Substitution Application No.3 of 2021, therefore, both applications

have been rendered infructuous.

Accordingly, applications are rejected as infructuous.

Order on memo of petition

There is no need to issue notice to legal heirs of respondent No.3 as they are represented by Sri Umesh Chandra Prajapati, Advocate.

Let notice be issued to newly impleaded respondent No.6 returnable at an early date.

Steps be taken within a week.

List after six weeks for final hearing.

It is made clear that no adjournment shall be granted on next date of hearing.

Order Date :- 18.7.2023

Nirmal Sinha