

Court No. - 4

Case :- WRIT - B No. - 8972 of 1985

Petitioner :- Sushil Kumar

Respondent :- Board Of Revenue And Ors.

Counsel for Petitioner :- G.N. Verma, Cheatan
Chatterjee, M. Dixit, M.K. Gupta, M.S. Dixit, Ravi Kiran Jain

Counsel for Respondent :- P.K. Misra, A.A. Ansari, A.K. Singh, Abhishek
Tripathi, Ajai Kumar Singh, Ashish Kr. Singh, Ashok
Mehta, N.C. Rajvanshi, N.C. Rastogi, R.C. Kapil, R.K.
Yadav, R.K. Mishra, R.N. Rai, Ramesh Kumar, S.C., S.S. Kushwaha

Hon'ble Jayant Banerji, J.

List has been revised.

Sri Chetan Chatterjee, learned counsel for the petitioner and the learned Standing Counsel, appearing for the State-respondents are present.

Substitution Application No. 109060 of 2007.

This application has been filed for substituting heirs of respondent no.3, whose name appears in the prayer clause of the application.

Office report of 23.5.2023 is that notices were issued to respondent nos. 3/1 and 3/2 by registered post with acknowledgement due fixing 12.9.2019, but neither undelivered cover nor acknowledgement has been received. As such, notice on the proposed respondent nos. 3/1 and 3/2 is deemed sufficient.

There is no objection to this application. It is, accordingly, allowed.

Let necessary substitution be effected.

Application for condonation of delay No. 10 of 2019.

Substitution Application No. 11 of 2019.

Though, the aforesaid applications have been filed for condonation of delay and for substituting the heirs of respondent nos. 6,10,13,14 and 15, in view of the fact that since application has been filed for substituting the heirs of multiple respondents, learned counsel for the petitioner states that he may be permitted to press this application for condoning delay and for substituting heirs of respondent no.6 alone. With respect to other respondents,

whose heirs are sought to be substituted, learned counsel for the petitioner prays for and is granted two weeks time to file separate appropriate applications.

Issue notice to the proposed heirs/respondents of the respondent no.6.

Steps shall be taken within a week, failing which the matter shall be listed forthwith thereafter under Chapter XII Rule 4 of the Allahabad High Court Rules. If steps are taken, list the matter on the date mentioned in the notice.

Abatement Application No. 9 of 2019.

This application may be considered on the next date of listing.

Order Date :- 24.5.2023

sfa/

(Jayant Banerji, J)