

Court No. - 48

Case :- SECOND APPEAL No. - 832 of 1987

Appellant :- Pratap Singh

Respondent :- Shakti Singh

Counsel for Appellant :- Vijai Bahuguna,R.P. Dubey

Counsel for Respondent :- P.K. Mishra,Surya Nath Yadav

Hon'ble Vipin Chandra Dixit,J.

Civil Misc. Delay Condonation Application No. 49236 of 2008

Civil Misc. Substitution Application No. 49238 of 2008

The present substitution application has been filed with the delay condonation application for substituting the legal heirs of appellant no. 1 namely Pratap Singh, who died on 06.09.1994 as well as appellant no. 4 namely Tej Vir Singh, who died on 15.10.2000.

No counter affidavit has been filed by any of the respondents to the delay condonation application as well as to the substitution application.

In view of above, the delay in filing the substitution application is condoned.

The delay condonation application is allowed and the aforesaid substitution application is treated to be within time.

The substitution application is also allowed.

The legal heirs of appellant no. 1 as mentioned in para 2 to the affidavit filed in support of substitution application as well as legal heirs of appellant no. 4 as mentioned in para 3 to the affidavit filed in support of substitution application be substituted as appellant nos. 1/1 & 1/2 as well as appellant nos. 4/1 & 4/2 respectively in the array of parties.

Let necessary substitution be carried out in the array of parties within one week.

Abatement, if any, stands set aside.

Civil Misc. Delay Condonation Application No. 2 of 2024

Civil Misc. Substitution Application No. 3 of 2024

The present substitution application has been filed with the delay condonation application for substituting the legal heirs of sole respondent namely Shakti Singh, who died on 10.10.2023.

No counter affidavit has been filed by any of the respondents to the delay condonation application as well as to the substitution application.

In view of above, the delay in filing the substitution application is condoned.

The delay condonation application is allowed and the aforesaid substitution application is treated to be within time.

The substitution application is also allowed.

The legal heirs of sole respondent as mentioned in para 3 to the affidavit filed in support of substitution application be substituted as respondent nos. 1/1, 1/2 & 1/3 in the array of parties.

Let necessary substitution be carried out in the array of parties within one week.

Abatement, if any, stands set aside.

List on 14.05.2025.

Order Date :- 1.5.2025

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