

Court No. - 50

Case :- WRIT - B No. - 20307 of 2004

Petitioner :- Ram Asrey And Others

Respondent :- Roshan Lal And Others

Counsel for Petitioner :- Manoj Chaudhary, Amish Kumar Srivastava, Fazal Kareem Zafari, P.K. Mishra, Shive Datta Yadav

Counsel for Respondent :- C.S.C., A.K. Misra, U.K. Mishra, V.K. Singh, Varchasva Bajpai

Hon'ble Chandra Kumar Rai, J.

In Re: Civil Misc. Delay Condonation Application No.7 of 2023 along with Substitution Application No.8 of 2023

1. Heard learned counsel for the applicant-petitioners.
2. The instant applications have been filed in respect of deceased respondent no.1 along with application under Section 5 of Limitation Act.
3. Notices were issued to the proposed heirs of deceased respondent no.1. As per office report, service is sufficient upon the proposed heirs of deceased respondent no.1.
4. The explanation given for the condonation of delay in the affidavit is satisfactory.
5. Delay in filing the substitution application is condoned.
6. Let the word 'deceased' be mentioned against the name of respondent no.1 and his legal heirs as mentioned in the prayer clause of the application be substituted as respondent no.1/1.
7. The applications are accordingly, allowed.

In Re: Civil Misc. Delay Condonation Application No.187651 of 2014 along with Substitution Application No.187653 of 2014.

1. Heard learned counsel for the applicant-petitioners.
2. The instant applications have been filed in respect of deceased petitioner no.3 along with application under Section 5 of Limitation Act.

3. The explanation given for the condonation of delay in the affidavit is satisfactory.

4. Delay in filing the substitution application is condoned.

5. Let the word 'deceased' be mentioned against the name of petitioner no.3 and his legal heirs as mentioned in Paragraph no.3 of the affidavit be substituted as petitioner nos.3/1 & 3/2.

6. The applications are accordingly, allowed.

In Re: Civil Misc. Delay Condonation Application No.176587 of 2017 along with Substitution Application No.176588 of 2017

1. Heard learned counsel for the applicant-petitioners.

2. The instant applications have been filed in respect of deceased petitioner no.2 along with application under Section 5 of Limitation Act.

3. The explanation given for the condonation of delay in the affidavit is satisfactory.

4. Delay in filing the substitution application is condoned.

5. Let the word 'deceased' be mentioned against the name of petitioner no.2 and his legal heirs as mentioned in the prayer clause of the application be substituted as petitioner nos.2/1 to 2/3.

6. The applications are accordingly, allowed.

Order on Writ Petition

List this case in the additional cause list on 24.3.2025.

Order Date :- 28.2.2025

Rameez