

Court No. - 36

Case :- SECOND APPEAL No. - 827 of 2003

Appellant :- Mohd. Saleheen

Respondent :- Zahirul Hasan And Others

Counsel for Appellant :- Manish Kumar Nigam, Girdhar Prasad Tripathi, Niraj Tiwari, R.N. Yadav, Rahul Sahai, Raj Kumar Tripathi

Counsel for Respondent :- A.C. Mishra, A.C. Mishra, Abhai Kumar Tiwari, Abhishek Kumar, M.K. Rajvanshi

Hon'ble Shekhar Kumar Yadav, J.

Re: Civil Misc. Delay Condonation Application No. 3 of 2020

1. The present application has been filed to condone the delay in filing the substitution application.
2. No objection to the same has been filed on behalf of the respondents.
3. Cause shown is sufficient.
4. The delay condonation application is allowed.
5. Delay in filing the substitution application is hereby condoned.

(Re:- Civil Misc. Substitution Application No.4 of 2020)

1. The present substitution application has been filed to delete the name of respondent No. 5 Shankarji, who died on 29.08.2020 leaving behind his sons Ajay Kumar and Anil Kumar be substituted.
2. No objection has been filed on behalf of the respondent.
3. Substitution application is allowed.
4. Office is directed to carry out the necessary substitution and the legal heirs and representatives i.e. Ajay Kumar 5/1 and Anil Kumar 5/2 be substituted in the array of parties.
5. Steps be taken within a week.

Re: Civil Misc. Delay Condonation Application No. 21 of 2025

1. The present application has been filed to condone the delay in filing the substitution application.
2. No objection to the same has been filed on behalf of the respondents.
3. Cause shown is sufficient.

4. The delay condonation application is allowed.
5. Delay in filing the substitution application is hereby condoned.

(Re:- Civil Misc. Substitution Application No.22 of 2025)

1. The present substitution application has been filed to delete the name of respondent No. 6 Ketki Prasad, who died on 11.07.2020 leaving behind his sons Manish Agrawal and Manoj Agrawal be substituted.
2. No objection has been filed on behalf of the respondent.
3. Substitution application is allowed.
4. Office is directed to carry out the necessary substitution and the legal heirs and representatives i.e. Manish Agrawal 6/1 and Manoj Agrawal 6/2 be substituted in the array of parties.
5. Steps be taken within a week.

Re: Civil Misc. Delay Condonation Application No. 23 of 2025

1. The present application has been filed to condone the delay in filing the substitution application.
2. No objection to the same has been filed on behalf of the respondents.
3. Cause shown is sufficient.
4. The delay condonation application is allowed.
5. Delay in filing the substitution application is hereby condoned.

(Re:- Civil Misc. Substitution Application No.24 of 2025)

1. The present substitution application has been filed to delete the name of respondent No. 6/1 Manish Agrawal, who died on 13.01.2014 leaving behind his wife Priyanka and son Yogya Agrawal be substituted.
2. No objection has been filed on behalf of the respondent.
3. Substitution application is allowed.
4. Office is directed to carry out the necessary substitution and the legal heirs and representatives i.e.his wife Priyanka 6/1/1 and son Yogya Agrawal 6/1/2 be substituted in the array of parties.
5. Steps be taken within a week.

Order on Memo of Appeal.

List on 30.07.2025.

Counsel for the parties have submitted that compromise has been entered into between both the parties and copy of the same has already been filed.

Order Date :- 16.7.2025

RPD