

Court No. - 49

Case :- WRIT - B No. - 31114 of 2016

Petitioner :- Rashid Khan

Respondent :- Dy. Director Of Consolidation Saharanpur And 6 Others

Counsel for Petitioner :- Sunil Kumar Srivastava, Arvind

Srivastava, Mohd. Akbar Shah Alam Khan, Sunil Kr Srivastava, Suresh Chandra Varma

Counsel for Respondent :- C.S.C., Ramesh Pundir, Ruduvant Pratap Singh, V.S. Srivastava

Hon'ble Prakash Padia, J.

Order on Delay Condonation Application No. 6 of 2019

Delay in filing the substitution application is sufficiently explained.

Learned counsel for the respondents have no objection if the delay condonation application is allowed.

In the circumstances, the delay in filing the substitution application is hereby condoned and the Delay Condonation Application is allowed.

Order on Civil Misc. Substitution Application No.5 of 2019

This application has been filed by the applicants with a prayer for substituting the heirs and legal representatives of the respondent No.6 namely Rukmuddin who is said to have died on 18.3.2019 reference of which has been made in paragraph No.3 of the affidavit filed in support of the aforesaid application. Learned counsel for the applicants further prays that the word "deceased" be inserted after the name of respondent No.6 namely Rukmuddin in the writ petition.

Learned counsel for the respondents have no objection on the same.

In the circumstances and for the reasons given in the accompanying affidavit, the substitution application is allowed.

Let the heirs and legal representatives of deceased-respondent

No.6 namely Rukmuddin mentioned in paragraph No.3 of the affidavit of substitution application be substituted as respondent nos. 6/1 to 6/3 in the writ petition and insert the word "deceased" after the name of respondent No. 6 namely Rukmuddin.

Office is directed to made necessary amendment in the array of the parties in the petition.

Order on Civil Misc. Abatement Application No.8 of 2019

In view of the order passed in the Substitution Application No.5 of 2019, the present abatement application is dismissed as not pressed.

Order on the Writ Petition

Counter affidavit on behalf of respondent Nos.6 and 7 has already been filed.

Learned counsel for the petitioners prays for and is granted four weeks and no more time to file rejoinder affidavit.

List thereafter.

Interim order granted on 12.7.2016, extended from time to time, is extended until further orders of this Court.

Order Date :- 23.1.2020

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