

Court No. - 37

Civil Misc. Substitution Application No. 17 of 2019

In

Case :- SECOND APPEAL No. - 378 of 2014

Appellant :- Ram Charan Ram And 4 Ors.

Respondent :- Surendra Nath And Another

Counsel for Appellant :- Surendra Nath Chauhan, Ram Shish Ram, Sabhajeet

Counsel for Respondent :- Ashutosh Upadhyay, K.S. Rathor, K.S. Rathore, Rakesh Pande, Yatindra Kumar Tirpathi

Hon'ble Ajay Bhanot, J.

Heard Sri Ram Shish Ram, learned counsel for the applicants.

This is an application for substitution of the legal heirs/legal representatives of appellant no. 1 (since deceased). It is supported with an affidavit.

It has been stated in the affidavit that the appellant no. 1 died on 20.10.2016 leaving behind his heirs and legal representatives, as mentioned in para 2 of the affidavit. Sri Ashutosh Upadhyay, learned counsel for the respondents does not have any objection to the substitution application.

In view of the aforesaid circumstances, the substitution application is allowed. Let the legal heirs and legal representatives of deceased appellant no. 1 as described in para 2 of the affidavit be substituted in place of appellant no. 1. Necessary substitution be carried out within ten days.

List after two weeks.

Order Date :- 9.4.2019

Pravin

Court No. - 37

Civil Misc. Delay Condonation Application No. 16 of 2019

In

Case :- SECOND APPEAL No. - 378 of 2014

Appellant :- Ram Charan Ram And 4 Ors.

Respondent :- Surendra Nath And Another

Counsel for Appellant :- Surendra Nath Chauhan, Ram Shish Ram, Sabhajeet

Counsel for Respondent :- Ashutosh Upadhyay, K.S. Rathor, K.S. Rathore, Rakesh Pande, Yatindra Kumar Tirpathi

Hon'ble Ajay Bhanot, J.

This is an application seeking condonation of delay in filing the substitution application.

Heard.

Cause shown for the delay in filing the substitution application as asserted in application for condonation of delay is sufficient. Sri Ashutosh Upadhyay, learned counsel for the respondents does not have any objection to the delay condonation application. Delay in filing the substitution application is hereby condoned. This application, accordingly, stands allowed.

Order Date :- 9.4.2019

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