



HIGH COURT OF JUDICATURE AT ALLAHABAD

CIVIL REVISION No. - 92 of 2024

Bhagwan Shri Ramchandra Ji Maharaj And 8
Others

.....Revisionist(s)

Versus

Rajesh Narayan Singh And 4 Others

.....Opposite
Party(s)

Counsel for Revisionist(s)	:	Abhay Mishra
Counsel for Opposite Party(s)	:	Divakar Rai Sharma

Court No. - 5

HON'BLE VIKAS BUDHWAR, J.

1. Contention of the learned counsel for the defendant-revisionist is that consequent to death of the plaintiff no. 2, his son by virtue of will cannot be substituted particularly when the only consideration which weighed with the court below in allowing the substitution application was that there happens to be the will in favour of the legal heir of the deceased. Submission is that there happens to be superfluous observations recorded in the order impugned so as to show the element of 'interest upon the legal heir'.

2. Sri Sharma who appears for the respondents has relied upon a judgment of this Court in Civil Revision No. 35 of 2013 (Vinod Kumar Kapoor Vs. Sunil Kumar Kapoor and others) decided on 22.04.2013, and judgment in Krishna Pillai Vs. Pazhuckamattom Devaswom: AIR 1983 Kerala 8 and judgment of the Madras High Court in O.S.A. No. 307 of 2022 pronounced on 11.08.2023. The parties seek further time to examine the said aspect.

4. On their request, list this case on 06.04.2026.

5. Interim order, if any, is extended till the next date.

(Vikas Budhwar,J.)

March 28, 2026

Rajesh