

ITEM NO.105

COURT NO.9

SECTION III-A

**S U P R E M E C O U R T O F I N D I A**  
**RECORD OF PROCEEDINGS**

CIVIL APPEAL NO. 4295/2018

FAKIR SINGH & ORS.

APPELLANT(S)

VERSUS

THE STATE OF UTTARAKHAND THROUGH COLLECTOR & ANR. RESPONDENT(S)

(IA No. 44654/2021 - APPLICATION FOR SUBSTITUTION  
IA No. 104754/2023 - APPLICATION UNDER ORDER V RULE 20 CPC FOR  
EFFECTING SERVICE THROUGH PUBLICATION  
IA No. 191497/2022 - APPROPRIATE ORDERS/DIRECTIONS  
IA No. 44656/2021 - CONDONATION OF DELAY IN FILING SUBSTITUTION  
APPLN. IA No. 44658/2021 - EXEMPTION FROM FILING O.T.)

WITH

C.A. No. 4296/2018 (III-A)  
(IA No. 168369/2019 - APPLICATION FOR SUBSTITUTION  
IA No. 168374/2019 - CONDONATION OF DELAY IN FILING SUBSTITUTION  
APPLN. IA No. 194032/2019 - EXEMPTION FROM FILING O.T.  
IA No. 193993/2019 - SETTING ASIDE AN ABATEMENT)

C.A. No. 4297/2018 (III-A)  
(IA No. 191508/2022 - APPROPRIATE ORDERS/DIRECTIONS)

Date : 21-01-2026 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE PANKAJ MITHAL  
HON'BLE MR. JUSTICE S.V.N. BHATTI

For Appellant(s) Mr. Sanjay Parikh, Sr. Adv.  
Mr. Manoj Swarup, Adv.  
Mr. S. S. Nehra, AOR  
Mr. Dev Vrat, Adv.  
Mr. Sanjay Singh, Adv.  
Mr. Abhishek Swarup, Adv.  
Mr. R. K. Gupta, Adv.  
Mr. Ramesh Chandra, Adv.  
Ms. Kritika, Adv.  
Mr. Vikrant Nehra, Adv.  
Mr. Sudhir Aggarwal, Adv.  
Mr. Dheeraj K Nayal, Adv.  
Dr. K S Bhati, Adv.

For Respondent(s) Mr. Saurabh Trivedi, AOR

Mr. Akshat Kumar, AOR  
Ms. Anubha Dhulia, Adv.

Mr. Manan Verma, AOR  
Ms. Ishita Bist, Adv.  
Mr. Sumit Kumar, Adv.  
Mr. Pranjal Tandon, Adv.

Mr. Sanjay Kumar Shandilya, Adv.  
Mr. Abhishek Kumar Singh, Adv.  
Mr. Prafull Singh Chandel, Adv.  
Mr. Ashutosh Yadav, AOR

UPON hearing the counsel the court made the following  
O R D E R

1. On the death of Appellant No.1-Fakir Singh, an application for substituting his heirs and legal representatives has been moved but with a considerable delay.
2. Since, despite service of notice, no one has come forward to oppose either the delay condonation application or the substitution application.
3. We permit the substitution after setting aside the abatement, if any. The delay in filing the substitution application(s) also stands condoned.
4. Amended cause title be filed within a period of two weeks.
5. List the appeals for final hearing after two weeks.

(Nidhi Mathur)  
Court Master (NSH)

(Geeta Ahuja)  
Assistant Registrar-cum-PS