

ITEM NO.1702

COURT NO.7

SECTION III-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s). 4275/2017

MURLIDHAR AGGARWAL (D) THR.HIS LR.ATUL KUMAR AGGARWAL Appellant(s)

VERSUS

MAHENDRA PRATAP KAKAN (DEAD) THR. LRS. & ORS. Respondent(s)

IA No. 88664/2023 - APPLICATION FOR CONDONATION OF DELAY IN FILING
THE APPLICATION FOR SETTING ASIDE THE ABATEMENT
IA No. 75920/2023 - APPLICATION FOR SUBSTITUTION
IA No. 88661/2023 - SETTING ASIDE AN ABATEMENT

Date : 19-02-2024 The appeal was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE UJJAL BHUYAN
[IN CHAMBER]

For Appellant(s) Mr. Soayib Qureshi, AOR
Mrs. Radha Gupta, Adv.

For Respondent(s) Mr. Anand Varma, AOR
Ms. Apoorva Pandey, Adv.

Mr. Ramendra Mohan Patnaik, AOR

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

Learned counsel for the appellants submits on instruction that name of respondent no.3 need not to be struck off from the array of respondents as he is very much a necessary party to the dispute.

That being the position, the above statement of learned counsel for the appellant is taken on record.

It is submitted that respondent no.3 has already been served but has remained unrepresented before this Court.

Office to verify.

IA No. 88664/2023, IA No. 75920/2023 and IA No. 88661/2023:

Heard learned counsel for the appellant.

Application for substitution to bring on record Lrs. of deceased respondent no.1, setting aside abatement and condonation of delay in setting aside abatement are accepted.

Delay condoned.

Abatement is set aside and substitution made.

Learned counsel for the respondents, Ms. Apoorva Pandey submits that she has entered appearance on behalf of the legal representatives of deceased respondent no.1 who shall be added in the Cause Title as respondent no.1.1 and 1.2.

Office to carry out necessary corrections in the Cause Title.

List before the appropriate Bench having roster.

(JATINDER KAUR)
P.S. to REGISTRAR

(AMITA PANDEY)
COURT MASTER (NSH)