

ITEM NO.110

COURT NO.4

SECTION III

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. 9050/2013

RAMDAS & ANR.

Appellant(s)

VERSUS

SITARAM MOTIRAM PATIL(D) TR.LRS.. & ORS.

Respondent(s)

(IA No. 133402/2023 - APPLICATION FOR CONDONATION OF DELAY IN
FILING THE APPLICATION FOR SETTING ASIDE THE ABATEMENT

IA No. 133398/2023 - APPLICATION FOR SUBSTITUTION

IA No. 133399/2023 - SETTING ASIDE AN ABATEMENT)

Date : 18-01-2024 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ANIRUDDHA BOSE

HON'BLE MR. JUSTICE SANJAY KUMAR

For Appellant(s) Mr. Navin Prakash, AOR

For Respondent(s) Mr. Shivaji M. Jadhav, AOR
Mr. Brij Kishor Sah, Adv.
Mr. Adarsh Kumar Pandey, Adv.
Mr. Vignesh Singh, Adv.
Ms. Apurva, Adv.
Mr. Aditya S. Jadhav, Adv.

Mr. Kanhaiya Priyadarshi, AOR

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

When this matter is called on for hearing, it is brought to our notice by learned counsel representing the appellants that the appellant No. 2 has passed away on 3rd August, 2020.

There are simultaneous applications for substitution of the deceased appellant by his legal

representatives(registered as IA No. 133398/2023) along with an application for condonation of delay in bringing such application(registered as IA No. 133402/2023) as well as for setting aside abatement(registered as IA No. 133399/2023).

We have gone through the said applications and we are satisfied that sufficient cause has been made out for condoning the delay in taking out the application for substitution. We, accordingly, set aside the abatement of the appeal so far as appellant No. 2 is concerned. Let his legal representatives be brought on record.

I.A. Nos. 133398 of 2023, 133399 of 2023 and 133402 of 2023 are allowed in the above terms.

Cause title be amended and other alterations of record as may be necessary may be effected.

List after four weeks.

(SNEHA DAS)
SENIOR PERSONAL ASSISTANT

(VIDYA NEGI)
ASSISTANT REGISTRAR