

ITEM NO.111

COURT NO.4

SECTION XVI

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. 1900/2010

PARGAN SINGH & ORS.

Appellant(s)

VERSUS

BHIKHAR SINGH @ SUDARSHAN SINGH & ORS.

Respondent(s)

([Mediation report received.]

IA No. 127026/2023 - APPLICATION FOR CONDONATION OF DELAY IN
FILING THE APPLICATION FOR SETTING ASIDE THE ABATEMENT

IA No. 127020/2023 - APPLICATION FOR SUBSTITUTION

IA No. 70067/2017 - EXEMPTION FROM FILING O.T.

IA No. 70066/2017 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

IA No. 127028/2023 - 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. Vishwajit Singh, Sr. Adv.
Mr. T. Mahipal, AORFor Respondent(s) Mr. Sunil Kumar, Adv.(N/P)
Mr. Brij Bhushan, AOR(N/P)
Mr. Suraj, Adv.(N/P)

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

Heard learned counsel for the appellants.

None, however, appears on behalf of the
respondents.

We are apprised by learned counsel for the
appellants that the appellant No. 1 has passed away
on 2nd June, 2019 and respondent No. 2 has passed away
on 2nd July, 2016.

An application for substitution(registered as IA No. 127020/2023) has been filed along with an application for setting aside abatement(registered as IA No. 127028/2023) and condonation of delay in bringing the application for setting aside abatement(registered as IA No. 127026/2023).

We are satisfied with the cause shown by the applicant for delay in filing the aforesaid applications. We, accordingly, set aside the abatement of the appeal so far as the appellant No.1 and the respondent No. 2 are concerned. Let they be substituted by their legal representatives.

I.A. Nos. 127026 of 2023, 127020 of 2023 and 127028 of 2023 are allowed in the above terms.

Cause title be amended for this purpose and other alterations of records be effected.

Learned counsel for the appellants also informs us that the dispute between the parties have been settled. Let consent terms be filed after the legal representatives of the deceased parties are brought on record.

List after six weeks.

(SNEHA DAS)
SENIOR PERSONAL ASSISTANT

(VIDYA NEGI)
ASSISTANT REGISTRAR