

ITEM NO.1

COURT NO.9
S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SECTION XVI

Civil Appeal No(s). 7309/2009

KALO-BALA MALAKAR (DEAD)

Appellant(s)

VERSUS

SASANKA SEKHAR MALAKAR AND OTHERS

Respondent(s)

(IA No. 23900/2019 - APPLICATION FOR SUBSTITUTION and IA No. 23902/2019 - CONDONATION OF DELAY IN FILING SUBSTITUTION APPLN. and IA No. 75413/2018 - RECORDING OF ABATEMENT OF THE CIVIL APPEAL)

Date : 13-01-2020 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ASHOK BHUSHAN
HON'BLE MR. JUSTICE S. ABDUL NAZEER

For Appellant(s) Mr. Ranjan Mukherjee, AOR

For Respondent(s) Mr. Jitendra Kumar, AOR

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

The sole appellant has died. An application (I.A. No. 75413/2018) was filed for abatement of the appeal. Thereafter, an application (I.A. No. 23900/2019) has been filed for substituting the legal heirs of the sole appellant along with application for condonation of delay in filing substitution application.

Counter affidavit on behalf of respondent No.1 has been filed.

We have gone through the applications.

The ground given in the affidavit for condonation of delay is sufficient, we allow the applications for abatement, condonation of delay in filing substitution application and application for substitution.

Let the legal heirs be substituted.

List the appeal in the normal course.

(MEENAKSHI KOHLI)
COURT MASTER

(RENU KAPOOR)
COURT MASTER