

ITEM NO.6

COURT NO.12

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

IA Nos.5-7/2017 & 14-16/2017 IN  
CIVIL APPEAL NOS. 1308-1310/2015

PREMA KUMARI

Appellant(s)

VERSUS

M/S S.N. STEEL AND TRADERS & ANR. Respondent(s)  
(APPLN(S). FOR SUBSTITUTION, EXEMPTION FROM FILING O.T)

Date : 03-05-2019 These matters were called on  
for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.M. JOSEPH  
[IN CHAMBER]

For Appellant(s) Ms. Mukti singh, Adv.  
Mr. Sunil Kumar Sing, Adv.  
Mr. Ravindra Kumar, AOR

For Respondent(s) Mr. T.N. Singh, AOR  
Mr. V.K. Singh, Adv.

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

These are the applications for substitution,  
following the death of second respondent in the civil  
appeals.

Objection has been taken to delay in filing  
application for substitution. There is also  
objection regarding the setting aside abatement.

It is noticed that by order dated 19.07.2018  
learned Judge in chambers condoned the delay in  
filing application for substitution and allowed the  
application for setting aside abatement. Notice was

issued to legal representatives of deceased second respondent. Two persons were sought to be substituted namely, the son and the grandson of the second respondent. The grandson has filed the objections.

According to the grandson, he is the only legal representative to be substituted as he is also the proprietor of the first respondent upon the death of the second respondent.

Learned counsel for the appellant would submit that it would be sufficient if the Court may direct substitution of the grandson, namely, Hemant Kumar Shah.

The application for substitution is allowed by substituting the name of Hemant Kumar Shah, the grandson after noting the contention on behalf of Shri Hemant Kumar Shah that he is the only legal representative of the deceased second respondent.

I.A. Nos.14-16 also stand disposed of.

[ Charanjeet Kaur ]  
A.R. - cum - P.S.

[ SUNIL KUMAR RAJVANSI ]  
COURT MASTER