

ITEM NO.1752

COURT NO.11

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

CIVIL APPEAL NO(S). 15503/2017

U.P. AAWAS EVAM VIKAS PARISHAD & ANR.

APPELLANT(S)

VERSUS

MITHLESH KUMARI (DEAD) & ORS.

RESPONDENT(S)

(I.A. No.81294/2024 (APPLICATION FOR SUBSTITUTION),
 I.A. No.81295/2024 (SETTING ASIDE AN ABATEMENT)
 I.A. No.81297/2024, (APPLICATION FOR CONDONATION OF DELAY IN FILING
 THE APPLICATION FOR SETTING ASIDE THE ABATEMENT)

WITH

C.A. No. 15504/2017 (III-A)

(I.A. No.81305/2024 (APPLICATION FOR SUBSTITUTION)

I.A. No.81307/2024 (SETTING ASIDE AN ABATEMENT)

I.A. No.81309/2024 (APPLICATION FOR CONDONATION OF DELAY IN FILING
 THE APPLICATION FOR SETTING ASIDE THE ABATEMENT)

Date : 06-09-2024 These appeals were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SANJAY KAROL
 [IN CHAMBER]

For Appellant(s) Mr. Abhishek Kumar Singh, AOR
 Ms. Pallavi Singh, Adv.
 Ms. Anamika Yadav, Adv.

For Respondent(s) Mr. Ilesh Shukla, Adv.
 Mr. Manav Jain, Adv.
 Mr. Samarth Tyagi, Adv.
 Mr. Sarthak Sharma, Adv.
 Ms. Ria Sachthey, Adv.
 For M/S. Ars Associates, AOR

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

CIVIL APPEAL NO.15503/2017 WITH CIVIL APPEAL NO.15504/2017

Delay in filing application for setting aside abatement is
 condoned.

2. Applications for setting aside abatement of respondent No.1

are allowed.

3. Application(s) for substitution of the deceased respondent No.1 is allowed, subject to curing the defects which are pointed out by the Registry in Office Report dated 30.08.2024 within a period of four weeks. Amended memo of parties be filed thereafter. Let notice be issued to the newly added respondent, returnable on 25.10.2024.

4. In the event, steps complete in all respects are not taken within the stipulated period, the appeal(s) shall stand automatically dismissed without any further reference to the Court.

5. Dasti, in addition, is also permitted.

(JAGDISH KUMAR)
COURT MASTER (SH)

(MATHEW ABRAHAM)
COURT MASTER (NSH)