

Party Name : THE UNITED INDIA INS. CO. LTD Vs JASHODA NATH & ANR

---

HONBLE THE CHIEF JUSTICE DEEPAK GUPTA

---

I.A. 539 of 2015 has been filed for bringing on record the legal representatives of deceased claimant respondent No.1 and I.A. 537 of 2015 has been filed for condoning the delay in moving the said application.

The deceased died on 10.11.2014. According to the averments made in the petition, the Insurance Company was not aware of this fact and on 09.9.2015 when Mr. G.K. Nama, learned counsel for the respondents made a statement that the deceased had died, learned counsel for the Insurance Company came to know that the deceased had died. Thereafter, this application has been filed for bringing on record the legal representatives.

Mr. D.K. Biswas, learned counsel, has put in appearance for the legal representatives. Keeping in view the averments made in the petition, it cannot be said that the Insurance Company was aware about the death of the deceased prior to 09.9.2015.

Therefore, the application for substitution is allowed and the delay in filing the application is condoned.

Both the applications are disposed of.