

CMP.No.19324 of 2017 in
S.A.No.82 of 2001

ABDUL QUDDHOSE, J.

This Civil Miscellaneous Petition has been filed to restore the second appeal on file which was dismissed for default on 05.10.2017.

2. Notice sent to R1 has been returned with an endorsement “Died”. Notice sent to R4 has been duly served and the name of R4 is also printed in the cause list today. R3 is also reported dead in this CMP.

3. Learned counsel for the second respondent has entered appearance and has not raised any serious objection for allowing this petition.

4. Learned counsel for the Appellants submit that she will take steps to bring on record the legal representatives of the deceased R1 and R3 in the main second appeal.

5. Since there is no serious objection for allowing this petition and this Court has also satisfied with the reasons stated in the affidavit filed in support of this petition, this CMP is allowed as prayed and the second appeal is restored.

6. Registry is directed to carry out the necessary amendment.

7. Learned counsel for the Appellants is directed to take steps to bring on record the legal representatives of the deceased R1 and R3.

8. Post the second appeal on 16.08.2021.

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23.07.2021



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