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C.M.P.No.6458 and 6461 of 2020
in
S.A.No.1935 of 2004

P.T.ASHA, J

These petitions have been filed by the petitioners to set aside the abatement caused due to the death of the deceased appellant and to bring on record the proposed petitioners as legal representatives of the deceased appellant.

2. Heard the learned counsel for the petitioners/appellants.

3. Considering the submission made by the learned counsel for the petitioners / appellants and being satisfied with the reasons stated in the affidavit filed in support of these petitions, these petitions are allowed. **The Registry is directed to carry out the necessary amendment.**

4. The appellants despite notice of the death have not taken any steps to bring on record the legal heirs of the deceased respondents 1, 2 and 3. A final chance is granted till 27.03.2023 to bring on record the



legal heirs of the deceased respondents 1, 2 and 3, failing which, the second appeal will stand dismissed as abated as against these respondents.

5. The learned counsel for the appellants is directed to pay the batta for service of notice on the 4th respondent and to comply with the other requirements of the Registry, on or before **27.03.2023** as a last chance, and to file proof of compliance, immediately, thereafter. On non-compliance of the requirements of the Registry, on or before the specified date, as directed by this Court, the second appeal shall stand dismissed, automatically, in so far as the 4th respondent is concerned, without further reference to this Court.

6. Post the matter on 27.03.2023.

24.02.2023

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srn

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