

HIGH COURT OF SIKKIM

Record of Proceedings

R.F.A. No.06 of 2018

ERIC PAZO

APPELLANT

VERSUS

JORGAY NAMKA & ORS.

RESPONDENTS

Date: 03.08.2021

CORAM:

THE HON'BLE MRS. JUSTICE MEENAKSHI MADAN RAI, JUDGE

For Appellant

Mr. A.K. Upadhyaya, Advocate.
Ms. Gita Bista, Legal Aid
Counsel.

For Respondents

R-1

In person.

R-2 to R-5

Mr. A. Moulik, Senior Advocate.
Ms. K.D. Bhutia, Advocate.
Mr. Ranjit Prasad, Advocate.

O R D E R

I.A. No.02 of 2021 is an application filed by the Appellant under Order XXII Rule 2 read with Section 151 of the Code of Civil Procedure, 1908, seeking substitution of Respondent No.4 who has since passed away, by his legal heirs. The Respondent No.4, as per the application, is to be substituted by his mother Mrs. Primrose Pazo (Respondent No.2 herein).

I.A. No.03 of 2021 is an application under Section 5 of the Limitation Act, 1963, also filed by the Appellant seeking condonation of delay for filing I.A. No.02 of 2021.

Heard Learned Counsel for all parties.

Respondent No.1 as well as Learned Senior Counsel for Respondents No.2 to 5 have no objection.

Accordingly, Respondent No.4 Late Pem Ongtshering Pazo be substituted by Smt. Primrose Pazo, his mother.

Both the I.As. *supra* stand disposed of.

Let Registry take necessary steps in terms of the orders above and insert the necessary rectifications to save time.

List the matter for final hearing on 07.09.2021, as found convenient by the parties.

Judge
03.08.2021