

ITEM NO.1709

COURT NO.11

SECTION XIV-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). 1534/2024

M/S SANGH ENTERPRISES PVT. LTD.

Appellant(s)

VERSUS

THE STATE OF SIKKIM & ORS.

Respondent(s)

Date : 24-01-2025 This appeal was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE PRASANNA B. VARALE
[IN CHAMBER]

For Appellant(s) Ms. Pooja Dhar, AOR
Ms. S. Ambica, Adv.

For Respondent(s) Mr. Sameer Abhyankar, AOR
Mr. Rahul Kumar, Adv.
Mr. Aryan Srivastava, Adv.
Mr. Aakash Thakur, Adv.
Mr. Krishna Rustogi, Adv.

Ms. Meenakshi Kalra, AOR
Mr. S.N.Kalra, Adv.
Mr. Kamal, Adv.

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

Heard learned counsel for the appellant.

Learned counsel for the appellant submits that though the counter affidavit was filed on 17.04.2023, the appellant got the knowledge of the death of respondent no. 4 due to communication gap and the application could not be filed within time.

Thus, the counsel submits that delay caused in filing the application is for a *bona fide* reasons.

In view of the submissions made by the learned counsel for the appellant and the grounds recorded in the application, application for condonation of delay and application for substitution of legal heirs of deceased respondent no.4, are allowed.

After condoning the delay, application for setting aside an abatement stands allowed.

Necessary corrections be carried out in the cause title.

Amended memo of parties be filed within two weeks.

If the matter is complete, in all respects, Registry to process the matter, as per Rules.

(VARSHA MENDIRATTA)
COURT MASTER (SH)

(MAMTA RANI)
COURT MASTER (NSH)