

Substitution App. 3998 / 09
Delay Cond. App. 3997 / 09
Withdrawal App. 3999 / 09
In
S.A. No. 93 of 2007

Hon. Prafulla C. Pant, J.

This is Delay Condonation Application No. 3997 of 2009, for condonation of delay in moving the substitution application, for substitution of legal heir of deceased appellant Naresh Kumar.

Heard.

The application is supported by affidavit.

The delay condonation application is allowed. The delay is condoned.

Also, Substitution Application No. 3998 of 2009 is allowed.

The amendment be incorporated during the course of the day.

The amendment has been incorporated in the memorandum of appeal before the Court.

Ms. Prabha Noliyal, Advocate holding brief of Mr. B.S. Adhikari, Advocate present for the appellants.

Mr. Jitendra Chaudhary, Advocate present for the respondent.

This is Application No. 3999 of 2009, moved on behalf of the appellants, whereby the appeal is sought to be withdrawn.

Heard.

The application is supported by affidavit.

The application is allowed.

The Second Appeal No. 93 of 2007, is dismissed, as withdrawn.

(P.C. P., J.)
22.05.2009

HN