

SUPREME COURT OF INDIA

Shadi

Vs.

Ram Pal

(A. C. Gupta, O. Chinnappa Reddy and R. S. Pathak JJ.)

15.04.1981

ORDER

The Text below is only a summarized version of the order pronounced

The appellant was defendant in suit for perpetual injunction and during the pendency of the second appeal the respondents died and the fact was not communicated to the appellant. The application for substitution of legal representatives was rejected by the High Court as the appeal was abated. The Apex Court held that there was no finding that the appellant was guilty of any laches or that he purposely delayed in making the application for substitution. Hence, the matter was remanded back to High Court for fresh disposal after bringing the legal representatives of respondents on record.