

**HIGH COURT OF SIKKIM**  
**Record of Proceedings**

**I.A. No. 01 of 2023 in RSA/105/2023(Filing No.)**

NIM DAWA SHERPA AND ANOTHER

APPLICANTS

*VERSUS*

LAKPA SHERPA AND OTHERS

RESPONDENTS

**Date: 24.10.2024**

CORAM:

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

For Applicants      Mr. Sajal Sharma, Advocate (Legal Aid Counsel).

For Respondents

R-1

Mr. N. Rai, Senior Advocate.

Ms. Tara Devi Chettri, Advocate.

R-2, R-3, R-4 &amp; R-5    None present.

**ORDER**

It is submitted by Learned Counsel for the Applicants that Notice has been served on Respondents No.2 and 3 by *dasti* for which he undertakes to file compliance affidavit within three days from today.

Considered.

I.A. No.02 of 2024 is an application filed by the Applicants under Section 5 of the Limitation Act, 1963, seeking condonation of delay of 2427 days' in filing the application seeking substitution of Respondent No.4, who it is submitted has since passed away of which circumstance the Applicants were unaware.

I.A. No.03 of 2024 is an application filed by the Applicants under Order XXII Rule 4 read with Section 151 of the Code of Civil Procedure, 1908, seeking substitution of Respondent No.4 by his legal heir.

Learned Senior Counsel for the Respondent No.1 submits that he has just been served copies of both the I.As and seeks to file response.

List on 29-11-2024, in the interregnum, let the response be filed.

**Judge**  
24.10.2024