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SUPREME COURT

Supreme Court Emphasizes Justice Over Procedure in Substitution of Legal Heirs

Sheikh Rayees • February 12, 2025

PUBLISHED REPORT

The Supreme Court clarified that a separate request to overturn abatement is unnecessary if an application for substituting legal heirs under Order XXII Rule 4 of the Code of Civil Procedure (CPC) is filed. The ruling arose from a case where a High Court had invalidated the restoration of a second appeal, citing the absence of a specific application to set aside abatement. The High Court refused to consider submissions...

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