

**RCA DJ NO. 325/16
PRAM CHAND RAWAL
VS.
KHAJAN SINGH DECEASED**

20.10.2020

Present : Sh. Prem Chand and Sh. Shiv Charan, Appellants
in person.

Sh. T C Gupta, Ld. Counsel for respondent No. 2
except Nicky Raghav.

Sh. V P Masih, Ld. Counsel for LR's of 1(a) Khajan
Singh.

Sh. Atul Sharma, Ld. Counsel for the respondents
namely Nikki Raghav and Maya Devi.

Sh. Vivek Srivastav, Ld. Counsel for respondents
namely Parmeet Singh and Smt. Brijpali.

Preet Singh, Bhupender Kumar and Nikki Raghav
Respondents in person.

Bal Kishan, Respondent No. 3(a) in person.

It is stated that amended memo of parties is still not
on record and there are three minor respondents namely Neha,
Niharika and Master Tushar and other minors Ms. Bhawna has
attained majority and she now chooses to contest the appeal.
Vakalatnama is to be filed and her statement is recorded
separately regarding her election to contest the appeal.

It is further stated that the above minors shall be
represented through their mother Smt. Nicky Raghav, who is the

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real mother and natural guardian of the minors, having no interest adverse to those of the minors and as such she is appointed Guardian ad litem on behalf of above three minors for the purposes of contesting this appeal.

Sh. Arora submits that he is a chronic patient of cancer and going through Chemotherapy and much time is required to submit even written arguments and he is also not able to argue the matter orally in the court due to his ill health. It appears that the matter is being held on this account for a long period and it is objected by Sh. Srivastav on the ground that the respondent No. 16(a) and (b) are the sufferer in the needless litigation, his further submission is that both the appeals are against one single order, passed by the Ld. Court below, dated 09.07.2016 and the other case registered as RCA No. 320/16, titled as Hari Chand(Deceased) through LR's. Vs. Khajan Singh(Deceased) through LR's may be treated as the lead case, however, still Sh. Arora has a legal right and an opportunity to argue the matter.

Under the circumstances, parties are directed to submit written submission with copy to other side in advance and against receipt and thereafter anyone interested in arguing the matter in the court shall also have opportunity.

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Appellant Prem Chand Rawal and Sh. Shiv Charan state that they have not yet received the case file from the earlier counsel Ms. Protima Parihar and will receive the file within a day or two and engage counsel thereafter.

Put up on 17.11.2020 for amended memo of the parties with copy to other sides and even including the appellants in the RCA No. 320/16 against receipt, also written arguments by the parties and date for oral arguments shall be fixed thereafter.

Sanatan Prasad
Additional District Judge-01
(East)/KKD/Delhi/20.10.2020