

14.10.2025

Present: Sh. Kapil Kishore Kaushik, Id. counsel for the petitioner.
Sh. Vishal Process server in person.
R-2, R-6 & R-8 are already proceeded ex-parte.

The notice of L.R of deceased respondent no. 3 namely Sh. Ashwani and notice of petition to the respondent no. 4 & 5 have been served by way of publication in the newspaper “ The Statesman” dated 30.07.2025.

None has appeared on behalf of L.Rs of deceased R-3 as well as on behalf of R-4 & R-5 despite service, therefore, they are proceeded ex-parte.

Sh. Ashwani is the son of late Sh. Suresh/R-3 and he is class I legal heir of late Sh. Suresh, so right to sue survives against him therefore, application of the petitioner filed u/o 22 rule 4 CPC stands allowed.

Sh. Ashwani is impleaded as L.R of deceased R-3 in the present case. Sh. Ashwani, LRs of deceased R-3 has not appeared despite service. There is no need to again issue notice of the petition to L.Rs of deceased R-3. Therefore, LRs of deceased respondent no. 3 is also proceeded ex-parte in the main case.

R-7 has been served on 23.09.2024. None has appeared on his behalf till date, he is also proceeded ex-parte.

In the present case no one has filed objection, therefore the present petition is treated as un-contested.