

Waryam Singh vs. Rattan Chand etc

**CIS No. FD 13 -2019
CNR No: PBHOC000598-2019**

Present: Sh. L.S. Dadwal, Adv. Counsel for the applicant/DH.
Respondent No.1 to 4, 5A, 5B, 5C, 6 and 7 exparte.

ORDER

This order of mine shall dispose of the application for impleading the LR's of deceased JD No.8 Balbir Singh.

2. In the application, the applicant/DH has averred that during the pendency of the present case respondent No.8 Balbir Singh son of Karnail Singh had died leaving behind following LR's:-

1. Neelam Kumari (widow)
2. Keshni Pathania (daughter)
3. Keshav Pathania (son)

All resident of village Ranga, Tehsil Mukerian, District Hoshiarpur. Hence the present application.

3. I have heard the arguments of the learned counsel for the applicant and have perused the documents placed on record with his able assistance.

4. Perusal of the record reveals that the applicant/DH has filed the present application on the ground that during the pendency of this case the JD No. 8 Balbir Singh has died on 26.10.2022 and Neelam Kumari (widow), Keshni Pathania (Daughter) and Keshav Pathania (son) all resident of village Ranga, Tehsil Mukerian, District Hoshiarpur are the legal heirs of JD No.8 Balbir Singh and hence they should be impleaded as his legal heirs in the present case. The present application is duly supported by death certificate of JD No.8 Balbir Singh. It is a settled position of law that under Order 22 Rule 4 C.P.C. the legal

representatives are impleaded only for the purpose of proper representation of the rights of the deceased. Hence, legal representatives of deceased defendant is required to be impleaded for just and proper adjudication of his rights. Hence, the application for impleading the LR's of JD No.8 Balbir Singh is allowed and the persons mentioned in the application are impleaded as legal representatives of the JD No.8 Balbir Singh for the purpose of proper representation of the rights of deceased JD No.8 Balbir Singh only.

However, any observation made by this court while disposing of the present application shall have no effect on the merits of the case.

Announced.
Dated:06.12.2023
vipul-Steno Gr.III

Aarti Sharma, PCS
Civil Judge (Jr.Div.)-Mukerian
(UID No. PB0592)

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CJJD-Mukerian/06.12.2023
UID No.PB-0592

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Vide my separate detailed order of even date, the application for impleading the LRs of JD No.8 Balbir Singh stands allowed as detailed therein. Amended titled filed. Let notice to the JD No.8A, 8B and 8C be issued for 03.01.2024. Dasti summon be also taken. Notice to the JD No. 5D be also issued for the date fixed.

Announced.
Dated:06.12.2023
vipul-Steno Gr.III

Aarti Sharma, PCS
Civil Judge (Jr.Div.)-Mukerian
(UID No. PB0592)