



HIGH COURT OF CHHATTISGARH AT BILASPUR

SA No. 456 of 2018

CHITRA BAI and Another **versus** DEV KUMARI and Others

Order Sheet

17/01/2025	Shri Keshav Dewangan with Shri Harshal Chouhan, counsel for the appellants. Shri Vijay K Deshmukh, counsel for Respondent Nos.1 and 2. Shri SK Puria, PL for State. Heard on I.A. No.06/2024, an application for appropriate direction and I.A. No.07/2024, an application for condonation of delay in compliance of Hon'ble Court's order dated 07.08.2024. In the order sheet dated 07.8.2024, it is mentioned that appellant had filed an application to delete the name of deceased/appellant No.2 Jug Bai, by making an averment that she has no legal representatives except appellant No.1. Then, an oral submission was put forward by counsel for the respondents that appellant No.2 has six sons and daughters namely Sushila, Teerath Ram, Parvati, Uttari, Veer Singh and Chitra Bai and only Chitra Bai is her legal representative in instant appeal and other Lrs' are

necessary party. Thereafter counsel for the appellants was granted time to file suitable application enabling him to bring all the Lrs' of deceased/appellant No.2 Jug Bai on record. But no appropriate application was filed within stipulated time.

Learned counsel for the appellants submits that other children were not born out of the relations of Sukhchand and Jugbai and they are children of Jugbai and late Charan Singh. Hence they have no right over the property of late Sukhchand. He would further submit that there is dispute with respect to will executed by Sukchand in favour of Defendant No.1-Chitra bai. Therefore, the other party are not required to be arrayed as Lrs. of Appellant No.2-Jugbai.

In view of the above, counsel for the appellants is permitted to delete the name of Appellant No.2 Jugbai and counsel for the other side would be at liberty to make submission on all such scores at the time of final hearing.

Accordingly, both the above applications are disposed of.

Necessary amendment be carried out within four weeks and amended cause title be also filed.

List this matter for consideration on admission after 8 weeks.

IR to continue till the next date of hearing.

Sd/-

(Deepak Kumar Tiwari)

Judge