

LAC vs. Dropti (deceased) through LRs

RFA No. 183 of 2007

06.12.2022 **Present:** Ms. Seema Sharma, Deputy Advocate General, for the appellants.

Ms. Ritu, Advocate, vice Mr. Mohan Singh, Advocate, for respondents No. 1(a)(iv), 1(b)(ii), 1(b)(iii), 1(b)(v), 1(b)(vi), 1(b)(vii), 1(b)(viii), 1(b)(ix), 1(b)(x), 1(b)(xi), 1(b)(xii), 1(b)(xiii), 1(b)(xiv) and 1(b)(xvi).

Mr. Rakesh Kumar Thakur, Advocate, vice Mr. Pratap Singh Goverdhan, Advocate, for respondents no. 2(a), 2(c) and 4(d).

Mr. Anirudh Sharma, Advocate, for respondents No. 11(a)(i) to 11(a)(v).

None for respondents No. 2(b) and 2(d), though represented by Mr. Sumeet Raj Sharma, Advocate.

CMP(M) Nos. 1562 and 1563 of 2022

These applications have been filed for substitution of respondent No. 1(b)(vi) Om Chand through his legal heirs i.e. wife and two sons mentioned in para-5 of the application. Copy of death certificate of Om Chand alongwith legal heirs certificate issued by Village Revenue Officer and countersigned by Tehsildar, Solan has been placed on record. Proposed respondents are in consonance with legal heirs certificate of deceased Om Chand.

It has been stated that there is no other legal heir of deceased Om Chand except the proposed respondents.

No objection has been communicated by the learned counsel appearing for the respondents.

In view of above, Kamla (wife), Pritam Singh and Bhupinder (sons) are permitted to be brought on record as respondent No. 1(b)(vi)(a), 1(b)(vi)(b) and 1(b)(vi)(c) respectively, after condonation of delay and setting aside the abatement, if any. Applications stand disposed of.

CMP(M) Nos. 1564 and 1565 of 2022

These applications have been filed for substitution of respondent No. 1(a)(v) Hardei through her legal heirs i.e. daughter in law, grand daughter, two sons and one daughter mentioned in para-5 of the application. Copy of death certificate of Hardei alongwith legal heirs certificate issued by Village Revenue Officer and countersigned by Tehsildar, Solan has been placed on record. Proposed respondents are in consonance with legal heirs certificate of deceased Hardei.

It has been stated that there is no other legal heirs of deceased Hardei except the proposed respondents.

No objection has been communicated by the learned counsel appearing for the respondents.

Deceased Hardei was having three sons and one daughter namely Balbir Singh, Madan Lal, Rup Lal and Kamlesh. Balbir Singh had pre deceased Hardei leaving behind his wife Vimla and daughter Upasana. Therefore, share of Balbir Singh has to be devolved upon Vimla and Upasana. As such now, Vimla, Upasana, Madan Lal, Rup Lal and Kamlesh are legal heirs of deceased Hardei, who deserve to be brought on record.

In view of above, Vimla, Upasana, Madan Lal, Rup Lal and Kamlesh are permitted to be brought on record as respondent No. 1(a)(v)(a), 1(a)(v)(b), 1(a)(v)(c) 1(a)(v)(d) and 1(a)(v)(e) respectively, after condonation of delay and setting aside the abatement, if any. Applications stand disposed of.

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Steps for service of newly added respondents No. 1(a)(i)(a), 1(a)(i)(b), 1(a)(v)(a), 1(a)(v)(b), 1(a)(v)(c) 1(a)(v)(d) and 1(a)(v)(e), and 1(b)(vi)(a), 1(b)(vi)(b), 1(b)(vi)(c), be taken within two weeks. Notice issued to the respondents returnable within four weeks.

**(Vivek Singh Thakur),
Judge.**

06th December, 2022
(subhash)