

**Ratto Ram (deceased) through LR Vs.
Manmohan Lal (deceased) through LRs &
Anr.**

RSA No.46 of 2013

29.05.2025 Present: Mr. Sumit Sharma, Advocate, for the proposed LRs of deceased appellant.

Ms. Anu Tuli, Advocate, for proposed LRs No.1(i) to 1(iii) and respondent No.2.

CMP(M) No.1573 of 2023

Heard counsel for the parties and perused the pleadings.

Sole-appellant is stated to have died on 16.05.2022. The same is evident from the death certificate appended along with application. The details of legal heirs are mentioned in para 4 of the application. However, it is submitted that it is applicant-Ashok Kumar, who has solely succeeded to the property of the deceased-appellant on the basis of a Will executed by the sole deceased appellant.

In view thereof, right to sue survives in the said legal heir and he is ordered to be brought on record as Appellant No.1(a), subject to just all exceptions.

For the sufficient cause shown in the application, delay in bringing on record LR of deceased appellant is condoned and abatement, if any is set aside. Amended memo of parties be filed within two weeks. Application stands disposed of.

CMP(M) No.124 of 2024

Legal heirs of deceased respondent No.1 stands served. Ms. Anu Tuli, Advocate has put in appearance on their behalf and submits that Power of Attorney on their behalf has already been filed in the Registry. Reply on behalf of the legal heirs of deceased respondent No.1 stands filed.

Heard counsel for the parties.

From a perusal of the death certificate, it is evident that respondent No.1 had died on 24.12.2019. The details of legal heirs are given in para 2 of the application. No other legal heirs exist or have been sought to be brought on record by the legal heirs, who had filed the reply to the present application.

The right to sue survives in the legal heirs of deceased respondent No.1. For the sufficient cause shown in the application, delay in bringing on record LRs of deceased respondent No.1 is condoned and abatement, if any is set aside. Legal heirs of deceased respondent No.1 are ordered to be brought on record. Application stands disposed of.

(Bipin C. Negi)
Judge

29th May, 2025
(Gaurav Rawat)