

**Phuyian (deceased) through LRs Vs.
Krishan Kumar (Deceased) through LRs &
Ors.**

RSA No.419 of 2002

16.05.2025 Present: Mr. Bimal Gupta, Sr. Advocate with Ms. Simran, Advocate, for the appellants No.1(a), 1(c) to 1(k).

Appellant No.1(b) is stated to have expired.

Mr. K.D. Sood, Sr. Advocate with Mr. Vivek Thakur, Advocate, for respondent No.1(a).

None for respondent No.1(b)

CMP(M) No.424 of 2025

No reply is intended to be filed on behalf of the non-applicant.

Heard counsel for the parties.

Appellant No.1(b) is stated to have died on 14.09.2015, during the pendency of the present appeal. The same is evident from the death certificate appended along with the present application. Details of legal heirs have been mentioned in para 8 of the application and the same are in consonance with the legal heir certificate appended along with the application. The right to sue survives in the legal heirs of deceased appellant No.1(b).

For the sufficient cause shown in the application, delay in bringing on record the LRs of deceased appellant No.1(b) is condoned and abatement, if any is set aside. Legal heirs of appellant No.1(b) are ordered to be brought on record. Amended memo of parties filed along

with the application is ordered to be taken on record, if in order.

Learned counsel for the applicants submits that fresh Power of Attorney on behalf of the newly arrayed appellants would be filed within two weeks. Application stands disposed of.

(Bipin C. Negi)
Judge

16th May, 2025
(Gaurav Rawat)