

LAC HPSEB Ltd. & Anr. Vs. Goverdhan Singh & Ors. a/w connected matter

RFA No.176 of 2017 a/w
RFA No.66 of 2022

12.03.2025 Present: Mr. Vivek Negi, Advocate, for the appellants.

Mr. Sunil Kumar and Mr. Sanjay Ranta, Advocates, for respondents No.1, 2(a) to 2(e) and 3 to 10.

Mr. B.N. Sharma and Mr. Raj Kumar Negi, Addl. Advocates General with Mr. R.P. Singh, Mr. Gautam Sood and Mr. Manish Thakur, Dy. Advocates General, for respondent No.11/State.

Mr. Dhananjay Sharma, Advocate, for respondent No.12.

CMP No.11168/2021 in RFA No.176/17

Pleadings are complete

Heard counsel for the parties. The present application has been filed for making correction in the award passed by the Reference Court bearing No.54-S/4 of 2015/11, titled Sh. Goverdhan Singh & Ors. Vs. State of HP & Ors., decided on 01.07.2016.

Since the appeal filed against the present award passed in the Reference Court is still to be adjudicated by this Court. Corrections, if any, sought to be made in the award passed by the Reference Court need to be corrected by the Reference Court itself.

In view thereof, the present application is remitted to the Reference Court along with the Record.

Post adjudication qua the same, the record be remitted back to this Court for adjudication of the pending RFA No.176 of 2017 and RFA No.66 of 2022 arising out of the said Reference Award. Needful be done at the earliest. List after adjudication on the application for correction by the Reference Court.

Parties to appear before the Reference Court on **08.04.2025**. It be ensured that records are made available to the Reference Court on the said date.

CMP(M) Nos.1675/24 & 1676/24 in RFA No.66/22

No reply is intended to be filed on behalf of the non-applicants. Non-applicants have no objection, if in case the present applications are allowed and legal heirs of deceased appellant No.2 are ordered to be brought on record.

Appellant No.2 is stated to have died on 15.01.2024. Death certificate in this respect is appended along with application i.e. CMP(M) No.1675 of 2024. The details of legal heirs of deceased appellant No.2 have been given in para 3 of the application, which is in consonance with the legal heir certificate appended along with application i.e. CMP(M) No.1675 of 2024. The right to sue survives in the legal heirs of deceased appellant No.2.

For the sufficient cause shown in the application i.e. CMP(M) No.1676 of 2024, delay in bringing

on record the LRs of appellant No.2 is condoned and abatement, if any, is set aside. Legal heirs of deceased appellant No.2 are ordered to be brought on record. Amended memo of parties filed be taken on record. Applications stand disposed of.

(Bipin C. Negi)
Judge

12th March, 2025
(Gaurav Rawat)