

**Mani Ram (deceased) through LRs Dropati Devi and Ors. v. State of
Himachal Pradesh and Ors.**

CWP No. 1309 of 2022

30.7.2025 Present: Mr. Hirdaya Ram, Advocate, for the petitioners.
Mr. Rajan Kahol, Mr. Vishal Panwar and Mr. B.C. Verma, Additional Advocates General with Mr. Ravi Chauhan, Deputy Advocate General, for the respondents.

CMP Nos. 1323 & 1324 of 2025

By way of instant applications filed under Order 22 Rule 3 of CPC read with Section 151 of the CPC and Section 5 of the Limitation Act, prayer has been made by the applicants, for bringing them on record as LRs of deceased petitioner No.1, who has expired on 18.8.2024, after condoning the delay in filing the accompanying application. No reply is intended to be filed to the instant application by the non-applicants.

Having heard learned counsel for the parties and perused averments contained in the application, which is duly supported by an affidavit, this Court is convinced and satisfied that delay in maintaining the accompanying application is neither intentional nor willful, rather same has occurred on account of circumstances, which were completely beyond the control of the applicants and as such, same is condoned.

It is quite apparent from the averments contained in CMP.M No. 1324 of 2025 as well as documents annexed therewith that during pendency of the petition, petitioner No.1 Mani Ram, has expired on 18.8.2024, leaving behind LRs as detailed in para-3 of CMP.M No. 1324 of 2025. Since right to sue survives in favour of the persons proposed to be substituted in place of deceased petitioner No.1, there appears to be no impediment in accepting the prayer made in the application and accordingly, present applications are allowed and persons detailed in para-3 of the afore application are ordered to be substituted in place of deceased petitioner No.1, whose name is otherwise ordered to be deleted from the array of parties. Registry to carry out necessary correction in the memo of

parties on the basis of amended memo of parties annexed with the application. Applications stand disposed of.

CWP No. 1309 of 2022

Since Sh. Hirdaya Ram, Advocate, has definite instructions to appear on behalf of the newly substituted petitioners, he may file power of attorney on their behalf, if not already filed.

Since matter stands admitted and parties are duly represented, list this case for hearing on **15.10.2025**.

July 30, 2025

manjit

**(Sandeep Sharma),
Judge**

