

**RSA No. 344 of 2004**

12.12.2016

Present: Ms. Ranjana Chauhan, Advocate vice counsel for the appellant.

Mr. Neeraj Gupta, Advocate for respondent No.1.

Respondents No. 10(a) to 10(e), 12(a) to 12(d) already ex-parte.

None for proposed LRs 11(a) to 11(d).

Remaining respondents 3, 4, 5, 7(b), 16 to 18 are duly served, however, there is no appearance on their behalf. Being so, they are proceeded against ex-parte. List for hearing in due course.

**CMP(M) No. 293/2016 & CMP No. 4720/2016**

Proposed legal representatives 11(e) & 11(f) are also served. There is no appearance on their behalf. As a matter of fact, they are minor and as per averments in para 3 in CMP No. 4720/2016, they have been sought to be impleaded through their mother and natural guardian Smt. Sudesh Kumari, proposed legal representative 11(d). Said Smt. Sudesh Kumari though was served, however, opted for not putting appearance. Being so, Mr. Ajay Kumar Sharma, Advocate is appointed as Court Guardian to represent minor proposed legal representatives Vikas Thakur and Deepak Verma in these proceedings. Consequential steps for substitution of legal representatives though have been taken beyond the period of limitation,

however, the delay as occurred stands satisfactorily explained. Being so, the application, [CMP(M) No. 293 of 2016] is allowed. Consequently, the proposed legal representatives are ordered to be brought on record as respondents No. 11(a) to 11(f) in the main appeal. Necessary corrections be made accordingly. Amended memo be also filed within two weeks.

Since Mr. Ajay Kumar Sharma, Advocate has been appointed as Court Guardian on behalf of respondents No. 11(e) and 11(f), therefore, the purpose for which application, CMP No. 4720 of 2016 is filed also stands served. A sum of Rs. 11,000/- shall be payable towards his fee to the Court Guardian by the appellants within four weeks from today. The Registry to supply paper book, complete in all respect, to the Court Guardian within two weeks. Both the applications stand disposed of.

**(Dharam Chand Chaudhary)**  
**Judge**

December 12, 2016

(naveen)