

**Pritam Chand and another vs. Nathu Ram
and others**

RSA No. 11 of 2023

11.12.2025 Present: Mr. Ashwani K. Sharma, Advocate, for the appellants.

Mr. Nitin Rishi, Advocate, vice Mr. Sanjay Kumar, Advocate, for respondent No. 1.

None for proposed LRs. No. 2(a) to 2(c).

Respondent No. 3 and 4 proceeded against ex parte.

CMP No. 30026 of 2025

By virtue of the present application, directions are being sought from this Court for effecting service upon proposed LR No. 2(d) by way of publication and affixation. The necessity for impleading LR No. 2(d) as a party arose on account of the death of deceased respondent No. 2. For bringing on record the LRs of deceased respondent No. 2, an appropriate application bearing CMP(M) No. 1524 of 2024 was filed.

In the said application, notices were issued on 30.09.2024. Insofar as proposed LRs No. 2(a) to 2(c) are concerned, they stand served, as is evident from order dated 28.11.2024. However, proposed LR No. 2(d) could not be served as according to the service report, he is residing abroad.

After 28.11.2024, the applicants/appellants have failed to furnish the correct address of proposed LR No. 2(d). In view thereof, the present application is misconceived and is accordingly dismissed.

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Let the correct address of proposed LR No. 2(d) be furnished within a period of four weeks. On taking such steps, issue notice to the aforesaid LR, returnable within four weeks.

At this stage, learned counsel appearing on behalf of the applicants submits that insofar as proposed LR No. 2(d) is concerned, along with proposed LRs No. 2(a) and 2(c), he has been given a share in the property of deceased respondent No. 2 vide Will dated 26.12.2017 executed by deceased respondent No. 2 (Roshan Lal).

In view thereof, he submits that, in the alternative, he may move an appropriate application for not serving proposed LR No. 2(d), as his interest stands duly represented by proposed LRs No. 2(a) to 2(c), as detailed in CMP(M) No. 1524 of 2024

List after four weeks.

(Bipin C. Negi)
Judge

11th December, 2025
Tarun