

**Diwan Singh (since deceased) through LRs
and others vs. Dashodha (since deceased)
through LRs a/w connected matter
RSA Nos. 364 & 365 of 2007**

17.03.2025 Present:

Mr. Neeraj Gupta, Sr. Advocate, with Ms. Rinki Kashmiri, Advocate, for the appellants in both the appeals.

Mr. Sumit Sharma, Advocate, for respondents No. 1(a) and 10.

None for respondents No. 2 to 9 & 11 to 14.

**CMP(M) No. 30 of 2025 in RSA No.364 of 2007
and CMP(M) No. 31 of 2025 in RSA No. 365 of
2007**

No reply is intended to be filed on behalf of the non-applicants. The non-applicants have no objections, if in case, the applications are allowed and the legal heirs of deceased Satish Kumar i.e. appellant No.1(a) are ordered to be brought on record.

The original appellant-Diwan Singh Kheora had died. As a consequence whereof, his legal heirs vide order dated 14.05.2008 passed in CMP(M) No. 104 of 2008 were ordered to be brought on record. One of the legal heirs of the original appellant i.e. appellant No.1(a) Satish Kumar, as per the death certificate, had died on 22.07.2018. The legal heirs of the said deceased are detailed in para 3 of the applications. The right to sue survives in the said legal heirs.

For the sufficient cause shown in the applications, delay in bringing on record the legal heirs of deceased

appellant No.1(a) Satish Kumar, is condoned. Abatement, if any, is set aside. The Legal heirs of deceased appellant No.1(a) Satish Kumar, detailed in para 3 of the applications, are ordered to be brought on record. Amended memo be filed within a period of one week. The applications stand disposed of.

(Bipin C. Negi)
Judge

March 17, 2024
Tarun