

Rohit Thakur vs. H.P. State Cooperative Union Ltd.

Civil Revision No.169 of 2006 with Civil Revision No.170 of 2006

02.05.2025 Present: Mr.R.K. Bawa, Senior Advocate, alongwith Mr.Ajay Kumar Sharma, Advocate, for the petitioner(s) in both petitions, except petitioner No.5.

Petitioner No.5 is stated to have expired.

Mr.Abhishek Thakur, Advocate, for respondents No.1 and 2, in both petitions.

Mr.Suneet Goel, Senior Advocate, alongwith Mr.Vishwas Kaushal, Advocate, for applicants-proposed petitioners in CMP No.4104 of 2016 in Civil Revision No.169 of 2006 and CMP No.3 of 2015 in Civil Revision No.170 of 2006.

CMP(M) No.617 of 2025 in CR No.169 of 2006
CMP(M) No.618 of 2025 in CR No.170 of 2006

These applications have been filed for deletion of name of petitioner No.5 Durgi Devi, who is stated to have expired on 31.01.2018. Copies of death certificate and copy of registered Will executed by Durgi Devi have been placed on record to claim that petitioners No.1 and 2 have to succeed the estate of Durgi Devi.

Though, it has been mentioned in para-2 of both the applications that there are eight legal heirs of deceased Durgi Devi, however, with submissions that Will executed by Durgi Devi has been accepted by all legal heirs as mutation has been attested in favour of petitioners No.1 and 2, i.e. Rohit Thakur and Mohit Thakur. Copy of revenue record has been placed on record as Annexure A-3.

Taking into consideration material placed before me, but without adjudicating *inter se* right amongst legal representatives of deceased Durgi Devi for continuing of present proceedings, name of Durgi Devi is ordered to be deleted as her estate is duly represented by other petitioners already on record, after condonation of delay and setting aside abatement, if any.

Applications stand disposed of.

CMP No.9156 of 2025 in CR No.169 of 2006

CMP No.9158 of 2025 in CR No.170 of 2006

Allowed and disposed of in terms of prayer.

CR Nos.169 and 170 of 2006

CMP No.4104 of 2016 in CR No.169 of 2006

CMP No.3 of 2015 in CR No.170 of 2006

Amended memo of parties in both petitions be filed within a week positively.

List for final hearing on 22.05.2025.

(Vivek Singh Thakur)
Judge

May 2, 2025
(Purohit)