

Mehar Singh and others vs. Jagdish Chand & others
RSA No.106 of 2019

27.06.2024 Present: Mr. R.K. Sharma, Senior Advocate, with Ms. Anita Parmar, Advocate, for the appellants.

Mr. Jai Ram Sharma, Advocate, for the respondents except deceased respondent No.3.

CMP(M) No. 1415 of 2023.

Reply to the application has been filed on behalf of proposed legal heirs of deceased respondent No.3 i.e. 3(b) to 3(d). However, proposed legal heirs No. 3(a) is though served, but none has put in appearance on her behalf.

From the sufficient cause shown in the application, it is evident that there exists no inaction on the part of the the applicants-appellants for bringing on record the legal heirs of deceased respondent No.3. Delay in bringing on record the legal heirs is condoned. Abatement, if any, is set aside. The application stands disposed of.

CMP(M) No. 1414 of 2023

From a perusal of the application, it is evident that respondent No.3 had expired on 24.06.2022. In this respect, the death certificate is appended alongwith the application as Annexure A-I. Since the right to sue inheres with the legal heirs of deceased respondent No.3, details whereof have been given in para 3 of the application, the same is allowed. Legal heirs of deceased respondent No.3 are ordered to be brought on record as respondents No. 3(a) to 3(d).

In so far as legal heirs 3(e) and 3(f) i.e. Jagdish Chand and Raj Mal are concerned, they already exist on record as respondents No. 1 and 2.

In view thereof, legal heirs of deceased respondent No.3 i.e. 3(a) to 3(d) are ordered to be brought on record. Amended memo filed alongwith the application is placed on record.

The application stands disposed of.

(Bipin C. Negi)
Judge

June 27, 2024
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