

**RFA No. 138 of 2009 alongwith RFA Nos. 139 to 144 of 2009**

**RFA No. 138 of 2009**

20.07.2021 Present: Ms. Shruti Pundir, Advocate, vice Mr. Dheeraj Kumar Vashisht, Advocate, for the appellant.

Ms. Bhagya Rani, Advocate, vice Ms. Devyani Sharma, Advocate, for the private respondents.

Mr. Anil Jaswal, Additional Advocate General, for the respondent-State.

**RFA No. 139 of 2009**

Ms. Shruti Pundir, Advocate, vice Mr. Dheeraj Kumar Vashisht, Advocate, for the appellant.

Ms. Bhagya Rani, Advocate, vice Ms. Devyani Sharma, Advocate, for respondents No. 1, 3 and 4 (a) to 4(d), 5(a) to 5(b), 6 and 7.

Mr. Anil Jaswal, Additional Advocate General, for respondent No. 8 and 9-State.

**RFA No. 140 of 2009**

Ms. Shruti Pundir, Advocate, vice Mr. Dheeraj Kumar Vashisht, Advocate, for the appellant.

Respondent No.2 has expired.

Ms. Bhagya Rani, Advocate, vice Ms. Devyani Sharma, Advocate, for respondents No. 1, 3 and 4.

Mr. Anil Jaswal, Additional Advocate General, for respondents No. 5 and 6-State.

**RFA No. 141 of 2009**

Ms. Shruti Pundir, Advocate, vice Mr. Dheeraj Kumar Vashisht, Advocate, for the appellant.

Ms. Bhagya Rani, Advocate, vice Ms. Devyani Sharma, Advocate, for respondent No. 1 (a) (i) to respondent

No.1(a)(iv), respondent No.1(b) to respondent No.1(d).

Mr. Anil Jaswal, Additional Advocate General, for respondents No. 2 and 3-State.

**RFA No. 142 of 2009**

Ms. Shruti Pundir, Advocate, vice Mr. Dheeraj Kumar Vashisht, Advocate, for the appellant.

Ms. Bhagya Rani, Advocate, vice Ms. Devyani Sharma, Advocate, for respondents No. 1 to 4.

Mr. Anil Jaswal, Additional Advocate General, for respondents No. 5 and 6-State.

**RFA No. 143 of 2009**

Ms. Shruti Pundir, Advocate, vice Mr. Dheeraj Kumar Vashisht, Advocate, for the appellant.

Ms. Bhagya Rani, Advocate, vice Ms. Devyani Sharma, Advocate, for respondents No. 1.

Mr. Anil Jaswal, Additional Advocate General, for respondents No. 2 and 3-State.

**RFA No. 144 of 2009**

Ms. Shruti Pundir, Advocate, vice Mr. Dheeraj Kumar Vashisht, Advocate, for the appellant.

Ms. Bhagya Rani, Advocate, vice Ms. Devyani Sharma, Advocate, for respondents No. 1 to 4.

Mr. Anil Jaswal, Additional Advocate General, for respondents No. 5 and 6-State.

**Through Video Conferencing**

**CMP (M) No. 1705 /2018 in RFA No. 138/ 2009.**

This application has been filed for substitution of respondent No.15 Biru Ram through his legal heirs mentioned in para 3 of the application. Copy of death certificate of Biru Ram as well as legal heir certificate of deceased Biru Ram have been placed on record mentioning that said respondent has

expired on 27.01.2018 leaving behind his legal heirs Smt. Charno Devi, Daughter and Sh. Gurmeet Singh and Sh. Sandeep Kumar, Grandsons. The purposed respondents are in consonance with legal heirs mentioned in the legal heir certificate.

Deceased respondent No. 15 Biru Ram is permitted to be substituted through his legal heirs mentioned supra, who are to be reflected in the memo of parties as respondents No. 15 (a), 15 (b) and 15 (c) respectively. Application stands disposed of.

**RFA No. 138 of 2009**

Parties are duly represented. List for hearing on 1<sup>st</sup> week of September, 2021.

**CMP(M) No. 898/2020 in RFA No. 139/ 2009**

This application has been filed for substitution of deceased respondent No.5 through his legal heirs mentioned in para 2 of the application namely Sh. Ramesh Kumar, Sh. Nirmal Singh, both sons, Smt. Pyari Devi, Smt. Kanta Devi, Smt. Tripta Devi and Smt. Sunita Devi, all daughters of late Sh. Sarwan Ram. As a matter of fact on the basis of mutation No. 800 attested on the basis of Registered Will dated 30.06.2004, vide order dated 15.05.2012 deceased respondent No.5 has been substituted through his sons only. However, now this application has been filed on the basis of legal heirs certificate issued by Naib Tehsildar, Baddi wherein he has mentioned only two sons as legal heirs but also has added four daughters of deceased Sarwan Ram. Today original counsel for the parties are not available, therefore, list for consideration on **28.07.2021**.

**CMP No. 899 of 2020 in RFA No. 140 of 2009**

This application has been filed for substitution of deceased respondent No.2 Amarjeet Singh through his legal heirs mentioned in para 2 of the application. Copy of death certificate as well as legal heirs certificate of deceased Amarjeet

Singh has been placed on record alongwith application mentioning that said respondent has expired on 25.10.2007 leaving behind his legal heirs Satya Devi(wife), Hemant Singh, Harbhajan Singh, Gurpreet Singh all sons. Deceased respondent No. 2 Amarjeet Singh is permitted to be substituted through his legal heirs mentioned supra who are to be reflected in the memo of parties as respondents No. 2 (a), 2(b), 2(c) and 2(d) respectively. Application stands disposed of.

**RFA No. 140 of 2009**

Notice be issued to newly added respondents returnable within four weeks, on taking steps for their service within one week.

**RFA Nos. 141, 142, 143, 144 of 2009**

Parties are duly represented. List for hearings alongwith **RFA No. 138 of 2009**.

**(Vivek Singh Thakur)**  
**Judge**

**July 20, 2021.**  
(Nisha)