

The Himachal Pradesh State Industrial Development Corporation vs. Gian Chand & others and connected matters

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

RFA No.138 of 2009

01.04.2023 Present: Mr.Rohit, Advocate, Mr.Sumit Sood, Advocate, for the appellants.

Mr.Basant Pal Thakur, Advocate, for all private respondents except respondents No.16 and 17(b).

Respondents No.16 and 17(b) are stated to have expired.

Mr.Manoj Chauhan, Additional Advocate General, for respondents No.18 and 19.

RFA No.139 of 2009

Mr.Rohit, Advocate, Mr.Sumit Sood, Advocate, for the appellants.

Mr.Basant Pal Thakur, Advocate, for respondents No.1 to 3, 5(a), 5(b)(i) to 5(b)(iii), 6(a) to 6(e), 6(f)(i) to 6(f)(v), 6(g), 6(h) and 7.

Mr.Manoj Chauhan, Additional Advocate General, for respondents No.8 and 9.

RFA No.140 of 2009

Mr.Rohit, Advocate, Mr.Sumit Sood, Advocate, for the appellants.

Mr.Basant Pal Thakur, Advocate, for respondents No.1, 2(a) to 2(d), 3 and 4.

Mr.Manoj Chauhan, Additional Advocate General, for respondents No.5 and 6.

RFA No.141 of 2009

Mr.Rohit, Advocate, Mr.Sumit Sood, Advocate, for the appellants.

Mr.Basant Pal Thakur, Advocate, for respondents No.1(a)(i) to 1(a)(iv), 1(b) to 1(d), 3 and 4(b) to 4(d).

Mr.Manoj Chauhan, Additional Advocate General, for respondents No.2 and 3.

RFA No.142 of 2009

Mr.Rohit, Advocate, Mr.Sumit Sood, Advocate, for the appellant.

Mr.Basant Pal Thakur, Advocate, for respondents No.1 to 4.

Mr.Manoj Chauhan, Additional Advocate General, for respondents No.5 and 6.

RFA No.143 of 2009

Mr.Rohit, Advocate, Mr.Sumit Sood, Advocate, for the appellant.

Mr.Basant Pal Thakur, Advocate, for private respondents.

Mr.Manoj Chauhan, Additional Advocate General, for respondents No.2 and 3.

RFA No.144 of 2009

Mr.Rohit, Advocate, Mr.Sumit Sood, Advocate, for the appellant.

Mr.Basant Pal Thakur, Advocate, for respondents No.1 2, 3(a) to 3(c) and 4.

Mr.Manoj Chauhan, Additional Advocate General, for respondents No.5 and 6.

CMP(M) No.209 of 2023 in RFA No.138 of 2009

This application has been filed for substitution of deceased respondent No.16-Hari Ram son of Sh.Parma Nand and respondent No.17(b)-Gurpal Singh, son of Sh.Ram Rattan, through their respective legal heirs.

Death certificate of Hari Ram indicating that he has expired on 08.08.2022 alongwith his legal heir certificate indicating that his estate has devolved upon Somi, Kashmir Kaur (daughters) and Nishi (great grand-daughter) in equal share, has been placed on record.

Copy of death certificate of Gurpal Singh indicating that he has expired on 02.02.2022 alongwith copy of legal heir certificate indicating that his estate has devolved upon Purani

Devi (mother), Manpreet Kaur (wife), Ritik (son), Nitika and Anshika (daughters), has also been placed on record.

Proposed respondents/legal heirs of deceased respondent No.16-Hari Ram in para-2 and respondent No.17(b) in para-3 of the application are in consonance with legal heirs depicted in their respective legal heir certificates.

No objection has been communicated for allowing the application by appearing respondents.

In aforesaid facts and circumstances, respondent No.16 Hari Ram is permitted to be substituted through his legal heirs, namely, Somi, Kashmir Kaur (daughters) and Nishi (great grand-daughter) as respondents No.16(a), 16(b) and 16(c) respectively, after condonation of delay and setting aside abatement, if any.

Similarly, respondent No.17(b)-Gurpal Singh is also permitted to be substituted through his legal heirs, namely, Purani Devi (mother), Manpreet Kaur (wife), Ritik (son), Nitika and Anshika (daughters) as respondents No.17(b)(i), 17(b)(ii), 17(b)(iii), 17(b)(iv) and 17(b)(v) after condonation of delay and setting aside abatement, if any.

Application stands disposed of.

RFA No.138 of 2009

Amended memo of parties filed with CMP(M) No.209 of 2023 is not updated memo of parties. Therefore, fresh corrected updated memo of parties be filed within a week.

Notice to newly added respondents No.16(a) to 16(c) and 17(b)(i) to 17(b)(v), be issued returnable within four weeks, on taking steps within five days.

Power of Attorney on behalf of respondents No.1 to 7, 8(a) to 8(d), 9 to 15(c) and 17(a), as prayed, be filed during course of the day.

RFA Nos.139 to 144 of 2009

Power of Attorney(s) on behalf of appearing respondents, in terms of order passed on previous dates, as prayed, be filed during course of the day.

List for hearing alongwith RFA No.138 of 2009.

(Vivek Singh Thakur)  
Judge

April 1, 2023  
(Purohit)