

**HPSIDC Vs. Gian Chand & Ors. A/w connected matters**

**RFA No. 138/2009 a/w RFAs No. 139 to 144/2009**

25.03.2026

Present: Mr. Rohit, Advocate, vice Mr. Sumit Sood, Advocate, for the appellant(s), in all the appeals.

Ms. Devyani Sharma, Senior Advocate with Mr. Anirudh Sharma, Advocate, for the private respondents.

Proposed LRs No. 6(a) to 6(g) are ex parte.

Mr. B.N. Sharma, Additional Advocate General, for the respondents/State.

**CMP No. 5400/2026 in RFA No. 138/2009**

No reply to the application is intended to be filed and learned counsel for the non-applicants/respondents has no objection in case the same is allowed.

For the reasons stated in the application, the same is allowed and death certificate of deceased respondent No. 6 as well as legal heirs certificate is ordered to be taken on record.

The application stands disposed of.

**CMP(M) No. 1899/2025 in RFA No. 138/2009**

The instant application, under Order 22, Rules 4 & 9, read with Section 151 of the Code of Civil Procedure and Section 5 of the Limitation Act, has been filed by the applicant for bringing on record the legal

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representatives of deceased respondent No. 6, Warua and for condonation of delay in filing the application. The application is duly supported by an affidavit of applicant, Ajay Singh, death certificate of the deceased as well as legal heirs certificate.

As per the applicant, respondent No. 6 has expired on 19.04.2025 and left behind the legal representatives, as mentioned in para-2 of the application. However, the delay in filing the application has occurred, as it took considerable time to obtain necessary documents. Therefore, the delay, as occurred is neither intentional, nor willful, but was beyond the control of the applicant and deserves to be condoned in the interest of justice.

No reply to the application is intended to be filed and learned counsel for the non-applicants/respondents has no objection in case the same is allowed.

Heard. Taking into consideration the fact that the delay, as occurred, was beyond the control of the applicant and has been sufficiently explained in the application, as such, the same is condoned.

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As right to sue still survives in favour of the legal representatives of deceased respondent No. 6, the application is allowed and legal representatives, as mentioned in para-2 of the application are ordered to be brought on record, after setting aside the abatement, if any.

Amended memo of parties, filed alongwith the application is ordered to be taken on record.

The application stands disposed of.

**RFA No. 138/2009**

It has repeatedly come to the notice of this Court that applications to bring on record the legal heirs of deceased party are accepted by the Registry without Legal Heirs Certificates.

Therefore, after obtaining orders from Hon'ble the Chief Justice, Registrar (Judicial) is directed to impart necessary instructions to the Officials of the Registry that the applications without Legal Heirs Certificates shall not be accepted by the Registry in future.

As prayed, list for final hearing on **28.04.2026**.

**( Sushil Kukreja )**  
**Judge**

**25<sup>th</sup> March, 2026**  
(raman)