

RSA No. 514 of 2007

01.06.2017

Present: Mr. Surinder Sharma, Advocate for the appellants and also for the proposed legal representatives of deceased appellant Bhilo Ram.

Ms. Ranjana Chauhan, Advocate vice counsel for the respondent.

CMP(M) No. 1490 of 2016

Appellant No. 1 Bhilo Ram has expired on 2.11.2015, during the pendency of the appeal in this Court. He is survived by his legal representatives named in para 2 of the application. Besides, he is stated to be survived by another daughter Chanchla Devi, as has come on record in para 2 of the reply filed on behalf of appearing respondent to this application. Consequential steps, no doubt, have been taken beyond the period of limitation, however, the delay as occurred stands satisfactorily explained. Otherwise also, Bhilo Ram was not the sole appellant and as such, on his death other appellants were there to pursue the appeal and protect the interest of his legal representatives. Therefore, there is no question of abatement of the appeal on his death. I, therefore, allow the application and order to substitute the proposed legal representatives and also Chanchala Devi, his another daughter as appellants No. 1(a) to 1(f). Necessary corrections be made in the cause title of the appeal accordingly. The application stands disposed of.

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Amended memo be filed within two weeks. List
for hearing in due course.

(Dharam Chand Chaudhary)
Judge

June 1, 2017
(naveen)

