

Sheela Devi Vs. Dev Raj along with connected matter

RFA No. 162/2010 & CR No.124/2014

28.7.2023 **Present:** RFA No 162/2010
Mr. Anirudh Sharma, Advocate, for the appellants.

Mr. Romesh Verma, Sr. Advocate, with Mr. Sumit Sharma, Advocate, for respondents No.1 to 5.

Respondents No.4,7 and 9(b) have expired.

Mr. J.R. Poswal, Advocate, for respondents No.6(a) to 6(g),8(a) to 8(c) and 9(a), 9(c) to 9(e), 9(l) and 9(m).

None for proposed respondents No.9(f), 9(g), 9(i), 9(j) and 9(k).

CR No.124/2014

Mr. Anirudh Sharma, Advocate, for the petitioners.

Mr. J.R.Poswal, Advocate, for respondents No.9(a) to 9(e),9(l) and 9(m) and 14(a) to 14(e), 14(l) and 14(m).

None for proposed respondents No.14(f), 14(g),14(h), 14(i) and 14(k).

Respondents No.7,10 and 14(b) have expired.

CMP(M) No. 904 & 905/2023 in CR No. 124/2014

These applications have been filed for bringing on record legal representatives of deceased respondent No.4-Dila Ram, who has expired during pendency of appeal on 29.03.2020.

No reply is intended to be filed by the appearing respondents.

Copy of death certificate of deceased respondent No.4 Dila Ram has also been placed on record. Taking into

consideration averments made in CMP(M) No.904 of 2023 and submissions made by learned counsel for the appearing parties, legal representatives of deceased respondent No.4-Dila Ram, mentioned in para-2 of CMP(M) No.904 of 2023, namely Ruko Devi (wife), Shashi Pal and Dev Raj (sons), are permitted to be brought on record as respondents No.7(a), 7(b) and 7(c) respectively, subject to all legal and just exceptions, after condoning the delay and setting aside abatement, if any, and also subject to further orders to be passed, if any, dispute arises with respect to inheritance of share of deceased respondent No.4 Dila Ram, amongst his legal heirs. Applications stand disposed of.

CMP(M) No. 909 & 906/2023 in CR No. 124/2014

These applications have been filed for bringing on record legal representatives of deceased respondent No.10 Ishwar Dass, who has expired during pendency of appeal on 03.01.2023.

No reply is intended to be filed by the appearing respondents.

Copy of death certificate of deceased respondent No.7 Ishwar Dass has also been placed on record. Taking into consideration averments made in CMP(M) No.909 of 2023 and submissions made by learned counsel for the appearing parties, legal representatives of deceased respondent No.7 Ishwar Dass,

mentioned in para-2 of CMP(M) No.909 of 2023, namely Dola Devi (wife), Sushil Kumar, Suresh Kumar (sons) and Rita Devi (daughter), are permitted to be brought on record as respondents No.10(a), 10(b), 10(c) and 10(d) respectively, subject to all legal and just exceptions, after condoning the delay and setting aside abatement, if any, and also subject to further orders to be passed, if any, dispute arises with respect to inheritance of share of deceased respondent No.10-Ishwar Dass, amongst his legal heirs.

Applications stand disposed of.

CMP(M) No. 907 & 908/2023 in CR No. 124/2014

These applications have been filed for bringing on record legal representatives of deceased respondent No.14(b)-Beli Ram, who has expired during pendency of appeal on 25.08.2021.

No reply is intended to be filed by the appearing respondents.

Copy of death certificate of deceased respondent No.14(b)-Beli Ram has also been placed on record. Taking into consideration averments made in CMP(M) No.907 of 2023 and submissions made by learned counsel for the appearing parties, legal representatives of deceased respondent No.14(b)-Beli Ram, mentioned in para-2 of CMP(M) No.907 of 2023, namely Kunta Devi (wife), Savita Devi, Swati Devi and Santosh Devi

(daughters), are permitted to be brought on record as respondents No.14(b)(i), 14(b)(ii), 14(b)(iii) and 14(b)(iv) respectively, subject to all legal and just exceptions, after condoning the delay and setting aside abatement, if any, and also subject to further orders to be passed, if any, dispute arises with respect to inheritance of share of deceased respondent No.14(b)-Beli Ram, amongst his legal heirs.

Applications stand disposed of.

RFA No. 162 of 2010

Steps for service of newly added respondents No.4(a) to 4(c), 7(a) to 7(d), 9(b)(i) to 9(b)(iv) have been taken on 26.7.2023. Notice returnable within four weeks, to these respondents within four weeks, be issued.

CR No. 124 of 2014

Notice issued to newly added respondents No.7(a) to 7(c), 10(a) to 10(d), 14(b)(i) to 14(b)(iv) be taken within one week. On taking such steps notice returnable within four weeks, be issued to these respondents.

(Vivek Singh Thakur)
Judge

28th July, 2023
(Guleria)