

Sheela Devi vs. Dev Raj alongwith connected petition

RFA No.162 of 2010 with Civil Revision No.124 of 2014

RFA No. 162 of 2010

24.07.2023

Present:

Mr.Anirudh Sharma, Advocate, for the appellants.

Mr.Romesh Verma, Senior Advocate, alongwith 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).

Civil Revision No. 124 of 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), 14(j) and 14(k).

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

CMP(M) Nos.882/2023 & 883/2023 in RFA No.162/2010

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.882 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.882 of 2023, namely Ruko Devi (wife), Shashi Pal and Dev Raj (sons), are permitted to be brought on record as respondents No.4(a), 4(b) and 4(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) Nos.884/2023 & 885/2023 in RFA No.162/2010

These applications have been filed for bringing on record legal representatives of deceased respondent No.7-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.884 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.884 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.7(a), 7(b), 7(c) and 7(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.7-Ishwar Dass, amongst his legal heirs.

Applications stand disposed of.

CMP(M) Nos.886/2023 & 887/2023 in RFA
No.162/2010

These applications have been filed for bringing on record legal representatives of deceased respondent No.9(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.9(b)-Beli Ram has also been placed on record.

Taking into consideration averments made in CMP(M) No.886 of 2023 and submissions made by learned counsel for the appearing parties, legal representatives of deceased respondent No.9(b)-Beli Ram, mentioned in para-2 of CMP(M) No.886 of 2023, namely Kunta Devi (wife), Savita Devi, Swati Devi and Santosh Devi (daughters), are permitted to be brought on record as respondents No.9(b)(i), 9(b)(ii), 9(b)(iii) and 9(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.9(b)-Beli Ram, amongst his legal heirs.

Applications stand disposed of.

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Notice to newly added respondents, returnable within four weeks, on taking steps within a week, be issued.

Civil Revision No.124 of 2014

Learned counsel for the petitioners submits that appropriate applications on account of death of respondent No.7,

10 and 14(b) have been filed on 03.07.2023, but the same are not on record. Be taken on record, if in order.

List on 28.07.2023.

(Vivek Singh Thakur)
Judge

July 24, 2023
(Purohit)