

**State of H.P. & another vs. Chandermani
Sharma (deceased) & others.**

RFA No.171 of 2010

30.07. 2024 **Present:** Mr. B.N. Sharma, Additional Advocate General,
for the appellants.

Ajit Pal Singh Jaswal, Advocate, vice Mr. Janesh
Gupta, Advocate, for respondents No. 1(a) to
1(e) & 1(h).

Ms. Anita Dogra, Advocate, for respondents No.
2(v)(a) to 2(v) (c).

Mr. Basant Pal Thakur, Advocate, for
respondents No. 3 to 5 and 7 to 9.

Respondent No.1(f) already exparte.

CMP(M) Nos.340 & 341 of 2024.

From a perusal of the applications, it is evident
that deceased Vijay Kumar i.e respondent No.2(v) has
died on 24.2.2023, The right to sue inheres/survives with
the legal heirs of deceased respondent No.2(v), the details
of the legal heirs are given in para 4 of CMP(M) No.340 of
2024. Accordingly, said legal heirs are ordered to be
brought on record as respondents No.2(v) (a) to 2(v)(c).

From a perusal of the contents of CMP(M) No.
341 of 2024, it is evident that delay for bringing on record
the legal heirs of deceased respondent No.2(v) is neither
willful nor deliberate. Besides for a complete and effectual
adjudication of the matter, delay in bringing on record the
legal heirs of deceased respondent No.2(v) is condoned
and abatement, if any, is set aside.

Amended memo of parties appended alongwith
CMP(M) No. 341 of 2024 is ordered to be taken on record.

Ms. Anita Dogra, Advocate has put in
appearance on behalf of newly added respondents Nos.2
2(v)(a) to 2(v)(c).

Applications stand disposed of in aforesaid
terms.

(Bipin C. Negi)
Judge

July 30, 2024 *(veena)*