

Chuhar Singh vs. Jagdish Chand (deceased)  
through his LRs and others

RSA No. 202 of 2016

22.05.2025 Present: Mr.Digvijay Singh Bisht, Advocate, vice Mr.B.C. Verma, Advocate, for legal heirs of deceased appellant.

Mr.Tek Chand, Advocate, for respondents No.1(a) and 1(b).

Mr.Amit Dhumal, Advocate, for respondent No.2.

Respondent No.3 is stated to have expired.

Respondents No.4(i) to 4(iv), 5 to 10, 12, and 14 are ex parte.

Respondent No.13 is ex parte vide order dated 28.06.2024.

CMP(M) No. 729 of 2025

This application has been filed for substitution of deceased appellant through his legal heirs mentioned in para-2 of the application, who are children and wife of deceased appellant.

Copy of death certificate of deceased appellant has been placed on record indicating that he has expired on 12.01.2025. It has been submitted that there is no other surviving legal heir of deceased except legal heirs mentioned in para-2 of the application and right to sue survives in favour of legal heirs of the deceased.

No objection has been communicated for allowing the application on behalf of contesting respondents.

In view of above, deceased appellant is permitted to be substituted through his legal heirs as appellants No.1(a) to 1(d) respectively.

Application is allowed and disposed of.

RSA No. 202 of 2016

Newly added appellants are duly represented by learned counsel.

List for consideration on 23.07.2025.

CMP(M) No. 29 of 2025

Notices issued to respondents No.3(a) and 3(b) have been received back without any report. Whereas, notice issued to respondent No.3(c) received back unserved for want of correct address.

In view of above, appellant is directed to take fresh steps for service of these respondents through ordinary course as well as through registered A.D. On taking such steps, notice, returnable on next date of hearing, be issued to proposed respondents No.3(a) to 3(c).

Registry is also directed to take up the matter with the Process Serving Agency of Chandigarh about the reason for returning the notices of respondents No.3(a) and 3(b) without any report.

List alongwith main appeal on the date already fixed.

(Vivek Singh Thakur)  
Judge

May 22, 2025  
(Purohit)