

**State of H.P. through District Collector, Bilaspur
H.P. vs. Lalman (deceased) through LRs**

CMP(M) No. 318 of 2024

02.05.2025 Present: Mr. Raj Kumar Negi, Additional Advocate General, for the applicant/State.

Mr. Romesh Verma, Sr. Advocate, with Mr. Digvijay Singh Bisht, Advocate, for respondents No. 1(a) and 1(c).

CMP(M) No. 1338 and 1339 of 2024

Legal representatives of deceased respondent No.1 stand served. Insofar as respondents No.1(a) and 1(c) are concerned, a counsel has put in appearance on their behalf and has filed power of attorney. Insofar as proposed legal heir of respondent No.1(c) is concerned, though served, none has put in appearance on his behalf. Hence he is proceeded against ex parte.

No reply is intended to be filed on behalf of the said legal heirs. The legal heirs have no objections, if in case, they are ordered to be arrayed as party respondents. From the death certificate appended alongwith the present applications, it is evident that the sole respondent had died on 03.10.2023. The details of legal heirs are given in para 2 of the application (CMP(M) No. 1338 of 2024), is in consonance with the legal heirs certificate appended alongwith the same. The right to sue survives in the said legal heirs. For the sufficient cause shown in the application (CMP(M) No. 1339 of 2024), delay in bringing on record the legal heirs, is condoned. Abatement, if any, is set

aside. Since the right to sue survives in the said legal heirs of deceased respondent, therefore, they are ordered to be brought on record. Amended memo be filed within a period of four weeks. The applications stand disposed of.

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Mr. Digvijay Singh Bisht, Advocate, has put in appearance on behalf of respondents No.1(a) and 1(c). Let notice be issued to respondent No.1(b), returnable within four weeks, on taking such within three days.

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Reply, if any, be filed on behalf of the appearing respondents within a period of four weeks.

(Bipin C. Negi)
Judge

May 02, 2025
Tarun