

**Tikkam Ram & another Versus Land Acquisition
Collector**

**RFA No.221 of 2014 a/w RFA No.209, 210,
211, 212, 213, 214, 216 and 364 of 2014**

15.07.2022 Present: Ms. Komal Chaudhary, advocate, for the appellants in RFA Nos. 221, 209, 210, 211, 214, 364 of 2014 and for appellants No.1 and 3 in RFA No.213 and for appellants No.1 and 2 in RFA No.216 of 2014.

Mr. Basant Pal Sharma, Advocate, vice Ms. Devyani Sharma, Advocate, for the respondent(s).

**CMP(M) No.930 of 2022 in RFA No.212 of
2014**

By way of this application, filed under Order 22, Rule 3 of the Civil Procedure Code to bring on record legal representatives of deceased- Mehar Chand, who is one of the appellants, who is stated to have died during the pendency of the Reference Petition itself.

Learned counsel for the applicants/ appellants submits that though this application has been filed under Order 22, Rule 3 of the Civil Procedure code, however, the same be treated as a request on the part of legal representatives of deceased- Mehar Chand, seeking permission of the

Court to prefer this appeal alongwith the other reference petitioners, namely Tikam Ram, in their capacity as legal representatives of deceased- Mehar Chand.

There is no serious objection to the prayer so made.

Accordingly, the application is allowed, as prayed for and by way of substitution, legal representatives of deceased- Mehar Chand are ordered to be impleaded as appellants No.2 (a) to 2 (d). Amended memo of parties be filed within four weeks as also fresh Power of Attorney on their behalf, if not already filed. Delay in filing the application, if any, also ordered to be condoned. The application is disposed of.

CMP No.4479 of 2016 in RFA No.212 of 2014

This application will be taken up for consideration at the time of final disposal of the appeal.

CMP No.9369 of 2022 in RFA No.216 of 2014

By way of this application, a prayer has been made for deletion of the name of appellant No.5, who is stated to have died, on the ground that her legal representatives are already on record as appellants No.2 to 4.

In view of the averments made in the application, the same is allowed, as prayed for and the name of appellant No.5 is ordered to be deleted from the array of appellants by taking the factum of his legal representatives already on record as appellants No.2 to 4. The application is disposed of.

CMP(M) Nos. 905 and 906 of 2022 in RFA No.213 of 2014

By way of these applications, a prayer has been made to bring on record legal representatives of deceased- appellant No.2, who is stated to have died during the pendency of the appeal and also for condonation of delay in filing the application and setting aside abatement.

No reply is intended to be filed to the applications.

Having heard learned counsel for the parties and after perusing the averments made in the applications, the same are allowed, as prayed for. Proposed legal representatives of deceased-appellant No.2, whose details are given in Para-4 of CMP(M) No.905 of 2022 are ordered to be impleaded as appellants No.2 (a) to 2 (c). Delay in filing the application condoned and abatement is set aside. The application stand disposed of.

RFA Nos.212, 213 & 216 of 2014

Ms. Komal Chaudhary, learned counsel has put in appearance on behalf of newly added appellants.

List in due course.

(Ajay Mohan Goel)
Judge

July 15, 2022
(Rishi)