

RSA No. 582 of 2016.

10.05.2018

Present: Mr. Sanjay Jaswal, Advocate for the appellants.

Mr. Ajay Sharma, Advocate for the respondent.

CMP (M) No. 263 of 2018.

Sole appellant Rumel Singh has expired on 9.10.2017. The applicant herein claims himself to be his sole legal representatives consequent upon a Will, a copy whereof is Annexure A-2 to the application. The application is supported by the death certificate, which has also been filed well within the period of limitation. The respondent has disputed the status of the applicant being legal heir of deceased appellant Rumel Singh on the ground that the will is unregistered document and has not yet proved in accordance with law. The objection so raised is not legally sustainable because for the purpose of substitution of the applicant as legal representatives of deceased appellant Rumel Singh, copy of the unregistered will is sufficient proof. Therefore, the application is allowed and subject to all just exceptions, applicant Yudhishter Singh is ordered to be brought on record as appellant 1(a) in the main appeal. Necessary correction be made in the cause title of the appeal accordingly. Amended memo be also filed within two weeks. The application stands disposed of accordingly.

May 10, 2018 (ps)

(Dharam Chand Chaudhary),
Judge