



RFA No. 21 of 2016

03.05.2018. Present: Mr. Desh Raj Thakur, Addl. AG with Mr. Kamal Kant Chandel, Dy. AG, for the appellants.

Mr. Anil Kumar, Advocate, vice Mr. Naresh Kumar Tomar, Advocate, for the respondent.

Mr. Hamender Singh Chandel, Advocate, for the proposed appellant-applicant in CMP No. 3587 of 2018.

CMP No. 3587 of 2018

By way of this application filed under Order 1 Rule 10 of the Code of Civil Procedure, the applicant-Municipal Corporation, Shimla has prayed that taking into consideration the fact that during the pendency of the appeal, the area in question of IPH department stands merged in Municipal Corporation, Shimla as such, Municipal Corporation, Shimla being necessary party be ordered to be arrayed as appellant No. 3. Mr. Chandel has submitted that liability, if any, to compensate the land owner, on account of merger of area in issue with Municipal Corporation, Shimla is now with the said Corporation and, therefore, Municipal Corporation is a necessary party for adjudication of the appeal.

No reply has been filed on behalf of the non-applicants and have also not objected to the application.

In this view of the matter, this application is allowed and Municipal Corporation, Shimla through its Commissioner is ordered to be arrayed as appellant No. 3. The application stands disposed of.



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Mr. Hamender Chandel, learned Counsel prays for and is permitted two weeks' time to file amended memo of parties. List thereafter.

(Ajay Mohan Goel),
Judge.

May 03, 2018,
(vs)