

Mohan Singh & others Vs. Hukam Singh & others.

RSA No. 237 of 2019

18.6.2025

Present: Mr.Karun Negi, Advocate, for the appellants.

Mr.Rakesh Thakur, Advocate, for respondents No. 1, 6 to 10, 11(a) to 11(c), 12(a) to 12(b).

None for respondent No. 25(f).

CMP (M) Nos. 1072, 1073 of 2023, CMP (M) Nos. 312 and 313 of 2025

CMP (M) Nos. 1072 and 1073 of 2023 have been filed for substitution of deceased respondent No. 28 Ishwar Dutt, who died on 9.2.2022, through his legal heirs namely Hardei (wife), Jagdish Kumar and Bhim Prakash (sons).

During pendency of aforesaid applications, it was found that proposed respondent No. 28(d) Jagdish Kumar has predeceased respondent No. 28 Ishwar as he had died on 21.9.2018 and, therefore, applications CMP (M) Nos. 312 and 313 of 2025 have been filed to bring on record legal heirs of Jagdish Kumar namely Santosh (wife), Arti (daughter) and Hitesh Kumar (son).

Notice issued to Hardei wife of Ishwar (mother of Jagdish Kumar and Bhim Prakash), has been received back with the report that no lady with such name is residing at the given address.

Notices to Santosh, Arti and Hitesh have not been issued yet.

In aforesaid circumstances, one week time, as prayed, is granted to take appropriate steps for service of aforesaid unserved proposed respondents Hardai, Santosh, Arti and Hitesh Kumar.

List for further orders on 2nd July, 2025.

CMP (M) Nos. 1525 and 1526 of 2023

These applications have been filed for substitution of deceased respondent No. 37 namely Sheela daughter of Dhani Ram through her legal heirs namely Rajinder Thakur, Asha Thakur, Manju Thakur, Madhu Thakur, Nisha Thakur and Anita Thakur as respondents No. 37(a) to 37(f).

Proposed respondents No. 37(b) Asha Thakur and 37(d) Madhu Thakur are yet to be served.

Notice issued to proposed respondent No. 37(b) Asha Thakur has been received back with the report that no lady with such name is residing at the given address.

Notice issued to respondent No. 37(d) has been received back unserved for want of correct address.

Appropriate steps for service of these respondents be taken within one week.

List for consideration on 2nd July, 2025.

RSA No. 237 of 2019

Respondent No. 25(f) stands duly served through her sister-in-law, but she has not chosen to be represented, hence proceeded against ex parte.

Notices issued to respondents No. 21 and 23 have been received back unserved with the report that no ladies with that name are residing in that village. Hence fresh steps for service of these respondents be taken within one week.

List on **2nd July, 2025** for further orders.

**(Vivek Singh Thakur),
Judge.**

18th June, 2025
(Keshav)