

Mohan Singh (deceased) through LRs and Ors Vs. Hukum Singh and Ors.

RSA No.237 of 2019

27.11.2025 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) and 12(b).

CMP(M) Nos.1525 and 1526 of 2023

As per the service report of the Registry, notices issued to proposed LR's No.37(b) and 37(d) have been received back unserved.

Let steps for the service of proposed LR's by filing the correct address be taken within two weeks. On doing the needful, issue notices to them, returnable within four weeks thereafter.

CMP(M) Nos.312 and 313 of 2025

The present applications have been filed for bringing on record the legal heirs of deceased respondent No.28(b). As per the service report of the Registry, proposed legal heirs of deceased respondent No.28(b) are served, however, none has put in appearance on their behalf.

No reply is intended to be filed on behalf of the non-applicants. Non-applicants have no objection, if in case the present application (CMP(M) No.312 of 2025) is allowed and the legal heirs of deceased respondent No.28(b) are ordered to be brought on record.

Respondent No.28(b) is stated to have died on 21.09.2018. The same is evident from the death certificate appended along with the present application (CMP(M) No.312 of 2025). The details of legal heirs are given in para 2 of the application (CMP(M) No.312 of 2025) and same are strictly in consonance with the Parivar Register appended along with the application (CMP(M) No.312 of 2025). The right to sue survives in the said legal heirs of deceased respondent No.28(b).

For the sufficient cause shown in the application (CMP(M) No.313 of 2025), delay in bringing on record LRs of deceased respondent No.28(b) is condoned and abatement, if any is set aside. The legal heirs of deceased respondent No.28(b), are ordered to be brought on record.

Amended memo of parties be filed within two weeks. Applications stand disposed of.

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On taking steps within three days, issue notice to the newly arrayed respondents No.28(b)(i) to 28(b)(iii), returnable within four weeks.

As per the service report of the Registry, notice issued to respondent No.21 has been received back unserved.

Let steps for the service of respondent No.21 taken within two weeks. On doing the needful, issue notice

to respondent No.21, returnable within four weeks thereafter.

Notice issued to respondent No.23 has been received back with the report that he refused to accept service, therefore, he is deemed to be served. However, none has put in appearance on behalf of him, therefore, he is proceeded against ex parte.

(Bipin C. Negi)
Judge

27th November, 2025
(Gaurav Rawat)