

**RFA No. 11 of 2014**

02.07.2020

Present: Mr. Shiv Pal Manhans Addl. A.G. with Mr. Raju Ram Rahi and Gaurav Sharma, Dy. A.Gs for the appellant through video conferencing.

Respondents No. 1 to 6, 8, 11, 12, 20 to 29, 42, 34 and 44 already *ex-parte* vide order dated 21.08.2019.

Respondents No. 31 and 38 reported to have expired.

**CMP(M) Nos. 304 and 305 of 2020**

These applications have been filed for substitution of deceased respondent Lajwanti, who has expired during the pendency of the appeal on 19.02.2019. Copies of death certificate along with legal heir certificate of deceased have been filed with these applications. According to legal heir certificate, Rakesh Kumar, Jai Prakash and Jai Pal, nephews of deceased, are legal heir available to represent her.

Considering the material placed on record, respondent No. 7 Lajwanti is permitted to be substituted by her legal heirs as respondents No. 7(a) to 7(c) mentioned in para 4 of the application, after condonation of delay setting aside the abatement, if any, Applications are allowed and stand disposed of in aforesaid terms.

**CMP(M) Nos. 306 and 307 of 2020**

These applications have been filed for substitution of deceased respondent Dropdi Devi, who has expired on 03.09.2011. Copies of death certificate along with legal heir certificate of deceased have been filed with these applications. According to legal heir

certificate, Chamel Singh, Dhayan Singh, Prakam Singh, Jagdeep Singh, Kala Devi, Geeta Devi, Chinta Devi and Sevti Devi, sons and daughters of deceased, are legal heir available to represent her.

Considering the material placed on record, respondent No. 9 Dropdi Devi is permitted to be substituted by her legal heirs as respondents No. 9(a) to 9(h) mentioned in para 4 of the application, after condonation of delay setting aside the abatement, if any, Applications are allowed and stand disposed of in aforesaid terms.

**CMP(M) Nos. 308 and 309 of 2020**

These applications have been filed for substitution of deceased respondent Keshav Ram, who has expired during the pendency of the appeal on 17.09.2015. Copies of death certificate along with legal heir certificate of deceased have been filed with these applications. According to legal heir certificate, Balinder Singh, Ram Singh and Kiran Devi, sons and daughter of deceased, are legal heir available to represent him.

Considering the material placed on record, respondent No. 10 Keshav Ram is permitted to be substituted by her legal heirs as respondents No. 10(a) to 10(c) mentioned in para 5 of the application, after condonation of delay setting aside the abatement, if any, Applications are allowed and stand disposed of in aforesaid terms.

**CMP(M) Nos. 310 and 311 of 2020**

These applications have been filed for substitution of deceased respondent Jummo Devi, who has expired during the pendency of the appeal on 01.06.2016. Copies of death certificate along with legal heir certificate of deceased have been filed with these applications. According to legal heir certificate, Shakuntla Devi, Palam Singh, Geeta Devi, Nirmala Devi, Balbir Singh, Neelam and Anjna Devi, sons and daughters of deceased, are legal heir available to represent her.

Considering the material placed on record, respondent No. 30 Jummo Devi is permitted to be substituted by her legal heirs as respondents No. 30(a) to 30(g) mentioned in para 5 of the application, after condonation of delay setting aside the abatement, if any, Applications are allowed and stand disposed of in aforesaid terms.

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Notices issued to respondents No. 14 to 17 have been received back undelivered with the report that no such persons are residing at the given addresses.

Notices issued to respondents No. 31 and 38 have been received back with the report that respondents have expired.

Respondents No. 13 to 18, 19 and 32 to 37, 39 to 41 and 45 to 49 have been duly received, but there is no representation on their behalf, hence they are proceeded against ex-parte.

Consequential steps on account of death of respondents No. 31 and 38 be taken within four weeks.

Steps for the service of respondents No. 14 to 17 and newly added respondents No. 7(a) to 7(c), 9(a) to 9(h), 10(a) to 10(c) and 30(a) to 30(g) be taken within two weeks. On taking such steps, notices returnable within four weeks be issued to these respondents.

**(Vivek Singh Thakur)**  
**Judge**

July 02, 2020  
(naveen)