

Maya Ram vs. Lajjya Devi (deceased) through LRs.

RSA No.305 of 2022

08.04.2025 Present: Mr. G.R. Palsra, Advocate, for the appellant.

Mr. Bhender Kumar, Advocate, for respondent No.2.

Respondents No.1(a) to 1(d), 3 and 4 are already exparte vide order dated 28.12.2022.

Respondents No.18 & 31 are stated to have expired.

Service of other respondents dispensed with vide order dated 3.11.2022.

CMP(M) No.537 & 538 of 2024

No reply is intended to be filed on behalf of the non-applicants. The non-applicants have no objection, if in case, the applications are allowed and the legal heirs of deceased proforma respondent No.18- Chiranji Lal are brought on record as is being sought in the application (CMP(M) No.537 of 2024).

Other than the aforesaid, proposed legal heirs of deceased respondent No.18 were served for 10.07.2024, however, since no one appeared on their behalf, hence, they were proceeded against *ex parte*.

Proforma respondent No.18- Chiranji Lal is stated to have expired on 23.11.2023. The same is evident from the Death Certificate appended along with the application (CMP(M) No.537 of 2024) as Annexure A-1. Respondent No.18-Chiranji Lal is survived by his legal heirs, details whereof, have been given in Paragraph-1 of the application (CMP(M) No.537 of 2024).

Since the right to sue inheres/survives with the legal heirs of deceased respondent No.18-Chiranji Lal, details whereof, have

been given in Paragraph-1 of the application (CMP(M) No.537 of 2024), therefore, they are ordered to be brought on record.

For the *bona fide* reasons stated/sufficient cause shown in the application (CMP(M) No.538 of 2024), delay in bringing on record the legal heirs of deceased proforma respondent No.18, is condoned and abatement, if any, is set aside.

The applications stand disposed of. Amended memo of parties filed with the applications is ordered to be taken on record.

RSA No.305 of 2022

On taking steps within three days, issue notice to newly added respondents No.18(a) to 18(f) & 31(a) to 31(c), returnable within four weeks.

April 08, 2025 (KS)

(Bipin C. Negi)
Judge