

Rajinder Pal vs. Bihari Lal and others

CMP(M) No.155 of 2024

24.11.2025 Present: Mr. Het Ram Thakur, Advocate, for the applicant/appellant.

Mr. Janesh Gupta, Advocate, for respondent No.1.

None for respondents No.9(e) and 9(f).

Respondents No.3 and 5 proceeded against ex parte vide order dated 20.08.2025.

Respondents No.6, 9(f), 10(a) & 11 are stated to have expired.

CMP (M) No.490 of 2025

Proposed legal heirs of deceased respondent No.12, i.e., respondents No.12(a) and 12(b) were served, as is evident from order dated 12.08.2025, passed by the Deputy Registrar (Judicial). Insofar as LR-12(c) to (e) are concerned, in terms of the service report, they have been duly served. However, no one has put in appearance, hence, they are proceeded against ex parte.

No reply on behalf of the non-applicants stands filed. The non-applicants have no objection, if in case, legal heirs of deceased respondent No.12 are ordered to be brought on record.

Respondent No.12 is stated to have expired on 08.08.2023, leaving behind his legal heirs mentioned in Paragraph-2 of the application. The same is evident from the Death Certificate appended along-with the present application as Annexure A-1. The right to sue survives/inheres in the said legal heirs of deceased respondent No.12, mentioned in Paragraph-2 of the application.

For the sufficient cause shown in the application, delay in bringing on record the legal heirs of deceased respondent No.12 is condoned and abatement, if any, is set aside. Legal heirs of deceased respondent No.12, mentioned in Paragraph-2 of the

application are ordered to be brought on record. Amended memo of parties be filed within a week. The application stands disposed of.

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On taking steps within a week, issue notice to the newly added respondents, i.e., respondents No.12(a) to 1(e), returnable within four weeks thereafter.

November 24, 2025 (KS)

**(Bipin C. Negi)
Judge**