

Pratap Singh vs Amar Singh and others

RSA No.257 of 2024

09.12.2025 Present: Kanwar Bhupinder Singh, Advocate, for the appellant.
Mr. Sudhir Thakur, Sr. Advocate with Mr. Karun Negi, Advocate for respondents No.2 to 8, 10 & 11 & for proposed LRs No.9(a) to 9 (d).

Mr. Ajay Singh Kashyap, Advocate, for respondents No.12 and 13.

Ms. Priti Steta, Advocate vice Mr. Arsh Chauhan, Advocate, for respondents No.14,15, 17 to 20.

Mr. Diwakar Dev Sharma, Additional Advocate General for respondent No.21/State.

Respondent No.16 is stated to have expired.

CMP (M) No.2157 of 2025

The present application has been filed on account of death of respondent No.9. By virtue of the present application, proposed legal heirs of deceased respondent No.9 are sought to be brought on record.

Mr. Karun Negi, learned counsel has put in appearance on behalf of the proposed Lrs No.9(a) to 9(d), details whereof have been given in para no.3 of the application and seeks time to file Power of Attorney.

Learned counsel appearing on behalf of the said proposed LRs intend not to file a reply to the present application. No reply is intended to be filed on behalf of the contesting respondents. None have any objection in getting the legal heirs of deceased respondent No.9 on record.

Respondent No.9 is stated to have been died on 14.07.2025. Right to sue survives on behalf of the said legal heirs.

Since, the application is within time, the application is allowed and the legal heirs of the deceased respondent No.9 are ordered to be brought on record. Amended memo be filed within two weeks application stands disposed of.

RSA No. 257 of 2024

Learned counsel appearing on behalf of the appellant submits that an appropriate application for bringing on record LRs of respondent No.1 has also been filed.

Learned counsel for the respondents submits that he has received a copy of the same. However, same is not on record. Let the same be placed on record, if in order.

List after two weeks.

CMP No.29505 of 2025

Heard learned counsels for the parties and perused the application. On 13.08.2025, the following interim order had been passed:-

“Reply, if any, be filed within four weeks. In the meanwhile, interim order dated 04.11.2024, passed in the present CMP is modified to the extent that the operation and execution of decree dated 23.03.2020, passed by the Court of Senior Civil Judge, Nahan, District Sirmour, H.P in Civil Suit No.28/1 of 2013/2015, titled as Amar Singh & Ors versus Partap Singh & Ors is stayed, subject to the deposit of compensation amount received by the present appellant along with up to date interest. Needful be done within four weeks. List thereafter.”

In the aforesaid context, the applicant has expressed inability to deposit the amount along with up to date interest and hence, the present application has been moved seeking modification of this order.

For the reason stated in the application, the order dated 13.08.2025 is modified to the extent that the applicant/appellant may either deposit the compensation amount received along with up to date interest or may furnish an adequate solvent security to the satisfaction of the Court on or before next date of hearing. Application stands disposed of.

December 9, 2025
(meera)

(Bipin C. Negi)
Judge