

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU**

OWP No. 581/2015

Jagdev Singh & Anr.

.....Appellant(s)/Petitioner(s)

Through: Mr. Atul Verma, Advocate

Vs

Jaideep Singh Samyal & Ors.

..... Respondent(s)

Through: Mr. Rakesh Chargoitra, Advocate for R-
4

CORAM: HON'BLE MR. JUSTICE RAHUL BHARTI, JUDGE

ORDER
(04.07.2025)

- 01.** In the original writ petition, array of respondents comprised of three respondents. The respondents No. 2 and 3 being the adjudicatory authorities and the respondent No. 1- Jaideep Singh Samyal son of the petitioner No. 1.
- 02.** During the pendency of the writ petition, an applicant Mr. Sanjeev Padha came forward with an application CM No. 1127/2025 seeking impleadment as respondent No. 4 in the writ petition by purportedly relating himself to the property forming the subject matter of the writ petition by reference to a sale deed as cited in his said application.
- 03.** This Court, in terms of an order dated 26.05.2025, came to allow the said application and impleaded the applicant-Mr.

Sanjeev Padha as a respondent No. 4 in the writ petition subject to just exceptions from the other side that is the petitioner.

- 04.** Out of the two petitioners, the petitioner No. 1 expired way back on 03.11.2016 whereas the writ petition came to be pursued solely by the petitioner No. 2-Supriya Singh through her counsel.
- 05.** Two applicants, namely, Jai Dev Singh and Smt. Ambica Slathia, have come forward seeking their impleadment as legal representatives of the petitioner No. 1-Jagdev Singh.
- 06.** Though, the application for bringing themselves on record as legal representatives of the petitioner No. 1 by the two applicants is hopelessly time-barred which would have suffered an outright rejection but considering the fact that even in absence of the legal representatives of deceased-petitioner No. 1, the writ petition can be pursued by the petitioner No.2, as such, no prejudice whatsoever would be caused to the originally impleaded respondents, in particular, respondent No. 1 and also to the newly impleaded respondent No. 4-Sanjeev Padha for whom the writ petition is supposed to have come into being from the day he came to seek his impleadment in the writ petition.
- 07.** Therefore, this Court is inclined to condone the delay in filing of the application for bringing on record the legal

representatives of the deceased-petitioner No. 1 and also allows the application of bringing on record the applicants Jai Dev Singh and Ambica Slathia to figure as legal representatives of the petitioner No. 1.

- 08.** Learned counsel for the petitioners is directed to place a fresh Memo of Parties for the sake of keeping the record straight wherein newly impleaded respondent No. 4 be mentioned.
- 09.** Respondent No. 4-Sanjeev Padha has filed reply/response to the writ petition to which the petitioners seek time to respond to.
- 10.** Let response/rejoinder to the response so filed by the respondent No. 4-Sanjeev Padha be filed by the petitioners within a period of four weeks.
- 11.** Respondent No. 1 had caused his appearance in person as is borne out from the office noting dated 05.06.2015 and thereafter, has not bothered himself to appear in person or through counsel, as such, he is proceeded ex-parte.
- 12.** List on **19.08.2025**.

(RAHUL BHARTI)
JUDGE

JAMMU
04.07.2025
SUNIL