

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Civil First Appeal No. 144 / 2013

Chela Ram

----Appellant

Versus

Lrs.Of Preetam Singh & Ors.

----Respondent

For Appellant(s) : Dr. Dhan Kanwar

For Respondent(s) : Mr. Bhuwaneshwar Singh Sisodia

JUSTICE DINESH MEHTA

Order

03/05/2018

I.A. No.752/2018

Mr. Bhuwaneshwar Singh Sisodia, learned counsel for the respondent applicant informs that respondent No.1/2 – Jeet Singh had expired on 04.01.2015 and his legal representatives have been taken on record by this Court, vide order dated 18.12.2017 passed upon I.A. No.2117/2017 filed by the appellant. He further submits that the appellant had indicated wrong legal representatives of the deceased respondent No.1/2; in his application (I.A. No.2117/2017), whereas his legal representatives are (i) Palvindra Singh and (ii) Smt. Jaspal Kaur.

At this stage, counsel for the appellant – Dr. Dhan Kanwar Rajpurohit submitted that particulars of legal representatives had been mentioned in the earlier application I.A. No.2117/2017 as supplied by the respondent himself, vide his application under Order XXII Rule 10 A of the Code of Civil Procedure and that there

was no fault on the part of the appellant.

Be that as it may, the fact, which has transpired today is, that the deceased respondent No.1/2 Jeet Singh has passed away leaving behind his two legal representatives namely (i) Palvindra Singh and (ii) Smt. Jaspal Kaur.

In view of above, the order dated 18.12.2017 passed in I.A. No.2117/2017 is modified in the manner that the legal representatives of said deceased respondent No.1/2 – Jeet Singh be treated as (i) Palvindra Singh (son) and (ii) Smt. Jaspal Kaur (wife) and not Onnkar Singh (son) and Jaswinder Kaur (wife) as had been ordered while allowing I.A. No.2177/2017 on 18.12.2017.

The application (I.A. No.752/2018) disposed of accordingly.

Counsel to file correct amended cause-title in terms of the order instant. The amended cause-title filed with the application No.2117/2017 be taken off the record.

(DINESH MEHTA), J.

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सत्यमेव जयते