

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 9707/2007

Abdul Karar

-----Petitioner

Versus

Prem Chand And Ors

-----Respondent

For Petitioner(s)	:	Mr. Pratyush Sharma for Mr. N.K. Maloo
For Respondent(s)	:	Mr. R.M. Sharma for Mr. Suresh Sahni

HON'BLE MR. JUSTICE SUDESH BANSAL

Order

01/07/2024

1. As per office report, petitioner has not ensured service of legal representative of deceased-respondent No.2 i.e. 2/1 to 2/4.
2. It appears from the record that respondent No. 1 to 5 filed a joint eviction petition before the Rent Tribunal, Jhalawar which has been granted vide judgment dated 27.02.2007 and the eviction certificate has been affirmed by the Appellate Rent Tribunal vide judgment dated 03.07.2007 which are under challenge in the instant petition.
3. On behalf of respondent No.1, 3, 4 and 5, counsel is already appearing, however, he states that the legal representatives of deceased respondent No.2 has not approached him, therefore, they he can not file vakalatnama on their behalf.
4. Be that as it may, considering the impugned judgments of certificate of possession and recovery which have been granted on the petition filed jointly by the respondents, interest of legal

representative of deceased respondent No.2 is similar and common to that of other respondents who are duly represented by the counsel.

5. In such view of matter, the service of legal representatives of deceased respondent No.2 is treated as sufficient by applying the principle of sufficient representation of the respondents who are having common interest, to contest this petition. Accordingly, service stands complete.

6. List the matter on 05.09.2024.

(SUDESH BANSAL),J