

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Second Appeal No. 132/2012

1. Smt. Bhanwari Bai W/o Shri Nar Mohan Joshi, R/o Balchand Pada, Bundi Raj.
2. Smt. Sampat Bai W/o Shri Lalita Shankar, R/o House No. 1111, Sog Line, Indore Mp Since Deceased Through Legal Representatives-
2/1.Lalita Shankar, husband of Late Smt. Sampat Bai.
2/2.Narendra son of Shri Lalita Shankar
2/3.Akhilesh son of Shri Lalita Shankar
2/4.Kiran d/o Shri Lalita Shankar
2/5.Jyoti D/o Shri Lalita Shankar
All are R/o House No.1111, SOG Line, Indore (M.P.)
3. Kamla Ballabh, S/o Late Shri Gopi Ballabh, R/o Sadar Bazar, Bundi Raj.

----Appellants/Plaintiffs

Versus

1. Smt. Laxmi Kanta, D/o Late Shri Kishan Chand
2. Smt. Manphool Bai, D/o Late Shri Kishan Chand
3. Smt. Braj Kuwar, D/o Late Shri Kishan Chand
4. Smt. Raj Kumari D/o Late Shri Kishan Chand
All are R/o Batak Bheru Pada, Bundi
5. Basant Kumar S/o Late Shri Kishan Chand
6. Girdhar Gopal, S/o Late Shri Kishan Chand
R/o Batak Bheru Pada, Bundi At Present Guru Nanak Colony, Bundi

----Respondents/Defendants

For Appellant(s)	:	Mr. Ashwani Chobisa
For Respondent(s)	:	Mr. Shubham Sharma for Mr. Rajat Ranjan

HON'BLE MR. JUSTICE MAHENDAR KUMAR GOYAL

Judgment / Order

11/10/2023

As per the Office report, *Vakalatnama* on behalf of the proposed legal representatives of the deceased-appellant No.1- Smt. Bhanwari Bai has not been filed alongwith the application under Order 22 Rule 3 CPC.

In view thereof, the application is incompetent.

Resultantly, the civil second appeal stands abated qua the appellant No.1. The issue as to whether the second appeal stands abated as a whole on account of her death, shall be considered at the time of admission/hearing of it.

(MAHENDAR KUMAR GOYAL),J