

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.9911 OF 2011

BANSI (D) THR. LRS.ROSHAN  
LAL & ORS.

Appellant(s)

VERSUS

RAGHU RAM & ORS.

Respondent(s)

O R D E R

1. The present appeal has been filed impugning the judgment of the High Court<sup>1</sup> dated 29.04.2011 passed in RSA No.641 of 2000. The ground raised by the learned counsel for the appellant is that during the pendency of the appeal, the respondent nos.2-5 and 14 and 15 before the High Court had expired and their legal representatives were not brought on record. The legal representatives of the aforesaid respondents had filed an application before this Court seeking leave to appeal as they were not party before the High Court. Leave was granted.

2. We had summoned the record the trial Court.

3. A perusal of the order dated 18.05.2001 passed by the Deputy Registrar Judicial shows that

1 High Court of Himachal Pradesh at Shimla.

respondent nos.2-6 had been served besides others.

4. The order dated 25.06.2001 passed by Deputy Registrar Judicial records that respondent no.15 also had been served in addition to the other respondents. At that stage, the service of respondent nos.4 and 20 was awaited.

5. Another order passed by the Deputy Registrar Judicial-II dated 05.09.2001 shows that even respondent nos.14 and 20 had been served.

6. A perusal of the judgment of the High Court shows that only respondent nos.1 and 16 before the High Court had chosen to appear and defend the appeal filed by the respondent/appellant before the High Court despite service of other respondents.

7. What emerges from the aforesaid factual matrix is that the respondents before the High Court had duly been served not only those who died during the pendency of the appeal before the High Court but even those who were still alive, however, they had chosen not to appear and contest the appeal filed by the respondents. Legal representatives of some of them cannot now be permitted to argue and raise a grievance that they

should have been brought on record before the High Court, as their predecessors in interest died during the pendency of the appeal.

8. The Civil Appeal is accordingly, dismissed.

9. Pending application(s), if any, shall also stand disposed of.

. . . . . , J  
[RAJESH BINDAL]

. . . . . , J  
[MANMOHAN]

NEW DELHI;  
DECEMBER 10, 2025.

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Civil Appeal No.9911/2011

BANSI (D) THR. LRS.ROSHAN LAL &amp; ORS.

Appellant(s)

VERSUS

RAGHU RAM &amp; ORS.

Respondent(s)

Date : 10-12-2025 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE RAJESH BINDAL  
HON'BLE MR. JUSTICE MANMOHANFor Appellant(s) : Mr. Anil Nag, AOR  
Mr. Varinder Sharma, Adv.For Respondent(s) :Mr. Vivek Singh Attri, Adv.  
Mr. Chandra Nand Jha, Adv.  
Mr. Rameshwar Prasad Goyal, AORMr. Abhishek Atrey, AOR  
Mr. Pradeep Gupta, Adv.  
Dr. Abhishek Atrey, Adv.  
Ms. Ambika Atrey, Adv.  
Mr. Navneet Gupta, Adv.UPON hearing the counsel the Court made the following  
O R D E RThe Civil Appeal is dismissed in terms of  
the signed order.Pending application(s), if any, shall also  
stand disposed of.(KRITIKA TIWARI)  
SENIOR PERSONAL ASSISTANT(KOMAL)  
BRANCH OFFICER

{Signed order is placed on file}