

**Balwant Singh and others vs. Ramesh Chand
(since deceased) through LRs. and others**

CMP(M) No.1756 of 2023

31.07.2024 Present: Mr. Rakesh Thakur, Advocate, for the applicants/appellants.

Mr. Parikshit Sharma, Advocate, for respondents No.1(i) to 1(iii), 2, 3, 4(i), 4(ii) & 6.

Mr. Ajay Sipahiya, Advocate, for respondent No.7.

CMP(M) No.86/2024

No reply is intended to be filed on behalf of the non-applicants. From perusal of the Death Certificate appended along-with present application, it is evident that respondent No.5 had died on 19.12.2023.

Since the right to sue inheres/survives with the legal heirs of deceased respondent No.5, details whereof, have been given in Paragraph-2 of the application, therefore, they are permitted to be brought on record.

Legal heirs of deceased respondent No.5, i.e. respondents No.5(a) and 5(b), though stand served, but none has put in appearance on their behalf, hence, they had already been proceeded against *ex parte* vide order dated 17.06.2024, passed by Additional Registrar (Judicial) of this Registry.

Application stands disposed of. Amended memo of parties be filed within two weeks.

CMP(M) No.1756/2023

No reply is intended to be filed on behalf of the non-applicants.

From the *bonfide* reasons mentioned in the application, it is evident that there is no willful or deliberate delay on the part of the present applicants in filing the present appeal. Accordingly,

the application is allowed. Delay of 08 days in filing the appeal is
condoned. Application stands disposed of.

RSA No. _____/2024

It be registered.

List after two weeks.

July 31, 2024 (KS)

(Bipin C. Negi)
Judge