

Sandeepak Guleria Vs. Roop Lal & Ors.

CMP(M) No. 1349/2025

31.08.2026

Present: Mr. Manoj Chauhan, Additional Advocate General, for the applicants/State.

Mr. H.S. Rangra, Advocate, for proposed LRs No. 1(b) & 1(c).

Proposed LRs No. 1(a) & 1(d) to 1(g) are ex parte.

CMP(M) No. 2237 & 2238/2025

The instant applications, under Order 22, Rules 4 & 9, read with Section 151 of the Code of Civil Procedure and Section 5 of the Limitation Act, have been filed by the applicant for bringing on record the legal representatives of deceased sole respondent and for condonation of delay in filing the application. The applications are duly supported by the affidavits of the applicant, death certificate of the deceased as well as legal heirs certificate.

Reply to CMP(M) No. 2237/2025 has been filed, wherein, prayer for dismissal of the same has been made.

As per the applicant, the respondent has expired on 23.06.2023 and left behind the legal representatives, as mentioned in para-5 of the application (CMP.M No. 2237/2025). However, the delay in filing the application has occurred, as the factum of death of the

deceased respondent only came to the knowledge of the applicant on 10.11.2025 and thereafter, necessary steps for bringing on record his LRs have been taken without any further delay. Therefore, the delay, as occurred is neither intentional, nor willful, but was beyond the control of the applicant and deserves to be condoned in the interest of justice.

Heard. Taking into consideration the fact that the delay, as occurred, was beyond the control of the applicant and has been sufficiently explained in the application, as such, the same is condoned.

It is pertinent to mention here that deceased respondent has executed the Will in favour of LRs No. 1(b) Rajender Pal & 1(c) Narayan Dass and proposed LRs No. 1(a) & 1(d) to 1(g) are already ex parte and it appears that they have nothing to state in the matter.

As right to sue still survives in favour of the legal representatives of deceased respondent, the application is allowed and legal representatives, No. 1(b) and 1(c), i.e. Rajender Pal and Narayan Dass are ordered to be brought on record.

The applications stand disposed of.

CMP(M) No. 1349/2025

No reply to the application is intended to be filed.

Having regard to the averments made in the application, which is duly supported by an affidavit of Superintending Engineer 1st Circle, HPPWD Mandi, this Court finds sufficient cause to condone the delay that has occurred in filing the present appeal.

Consequently, the application is allowed and delay that has occurred in filing the present appeal is condoned.

Amended memo of parties filed alongwith the applications is ordered to be placed on record.

The application stands disposed of.

RFA No. 2026

Appeal be registered.

As prayed for, list for hearing on admission after four weeks.

CMPST No. 38888/2025

Heard. Subject to deposit of entire award amount, alongwith up-to-date interest, within a period of four weeks, the operation and execution of impugned award dated 10.03.2025, passed by learned Additional District Judge, Sundernagar, District Mandi, H.P., in

Reference Petition No. 22/2019, titled Santu alias Sant Ram Vs. Collector, Land Acquisition, HPPWD & Anr., shall remain stayed during pendency of the main appeal.

Alteration, modification or vacation, on motion.

The application stands disposed of.

(Sushil Kukreja)
Judge

31st August, 2026
(raman)