

IN THE PUNJAB & HARYANA HIGH COURT AT CHANDIGARH

CRA-S-1873-SB-2003(O&M)

Date of decision : 07.01.2015

Balwant Raj

... Appellant

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr.Surinder Garg, Advocate
for the appellant.

Mr.Gazi Mohammad, DAG, Punjab.

REKHA MITTAL, J.

CRM-39561-2013

Prayer in this application filed under Section 394 of the Code of Criminal Procedure read with Section 482 thereof is to grant leave to continue the appeal filed by Balwant Raj (since deceased).

Counsel for the applicant contends that Balwant Raj (appellant) passed away on 11.03.2013 and the applicants i.e. Widow, son and daughters of the deceased Balwant Raj may be permitted to continue the appeal being the legal heirs of deceased Balwant Raj who was an employee of Punjab State Electricity Board.

Counsel for the respondent State of Punjab has got no objection if the application is allowed.

In view of averments made in the application and the death certificate of Balwant Raj (Annexure A1), coupled with the factum that a serious prejudice may be caused to the legal heirs of the deceased in case the appeal is not heard on its merits, the application is allowed and the applicants are allowed to continue the appeal for its disposal on merits.

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For order see ***CRA-S-1748-SB-2003 (Sulakhan Singh Vs. State of Punjab).***

(REKHA MITTAL)
JUDGE

January 07, 2015.