

Khusminder Singh would be succeeded by five legal heirs namely Narinder Kaur (wife), Jagdeep Kaur (daughter), Varandeep Kaur (daughter), Amrinder Singh (son) and Parminder Singh (son). In this way, two applications were brought before the trial Court for bringing on record legal representatives of deceased Khusminder Singh.

[3]. In **Charanjit Singh and another Vs. Bharatinder Singh and others, 1987(1) PLR 403**, after relying upon **Mohinder Kaur and another Vs. Para Singh and others, AIR 1981, Punjab and Haryana, 130(1)**, it was held that proper course would be to bring all the legal representatives on record so as to vouch safe the interest of the property of the deceased for the ultimate benefit of real legal representatives.

[4]. In **Suresh Kumar Bansal Vs. Krishna Bansal and another, (2010) 2 Supreme Court Cases 162**, the provisions in terms of Order 22 Rule 5 CPC were discussed and it was held that the said provisions are only for the purposes of bringing legal representatives on record for conducting legal proceedings only. Such a course does not operate as *res judicata*, nor *inter se* disputes between the rival legal representatives would be settled by doing so. The *inter se* dispute between the legal representatives has to be independently tried and decided in appropriate proceedings.

[5]. In fitness of things, all the legal heirs can be brought on record leaving them to get their *inter se* entitlement decided in a lawful manner.

[6]. With the aforesaid observations, the impugned order stands explained.

[7]. Disposed of.

July 19, 2018
Prince

(RAJ MOHAN SINGH)
JUDGE

Whether reasoned/speaking
Whether reportable

Yes/No
Yes/No