

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**RFA No.4344 of 2011 (O&M)
Date of Decision:31.01.2019**

Chet Ram and others

....Appellant(s)

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE G.S. SANDHAWALIA

Present: Mr. Arun Jain, Senior Advocate with
Mr. Nitin Jain, Advocate,
Mr. Shailendra Jain, Senior Advocate with
Ms. Anupama Arigala, Advocate,
Mr. Jaivir Yadav, Advocate,
Mr. Tapan Yadav, Advocate,
Mr. Ashish Gupta, Advocate,
Mr. Gaurav Aggarwal, Advocate,
for the landowners.

Mr. Sudeep Mahajan, Addl. AG, Haryana.
Ms. Vibha Tiwari, AAG, Haryana.

Mr. Pritam Singh Saini, Advocate,
for the HSIIDC.

G.S. SANDHAWALIA, J. (ORAL)

CM-9643-CI-2011

Application has been filed for bringing on record the legal representatives of deceased original appellant Shanti Devi, widow of Moti Ram who is stated to have expired on 10.12.2007 leaving behind her legal representatives No. 4(a) to 4(e), enumerated in para No. 4 of the application, who have claimed the right as such on the strength of registered Will dated 31.01.2007 (Ann.A-2). It has been further averred that there are no other legal representatives of the deceased appellant except ones mentioned in

para No.4 of the application. A perusal of the Will (Ann.A-2) would go on to

show that appellants No. 6 & 7 Smt. Rajesh & Smt. Sunita daughters of Moti Ram, are pursuing the present appeal in individual capacity and are also legal heirs of the deceased appellant but have been excluded in terms of said Will. Copy of death certificate and Will are annexed as Annexure A-1 and A-2, respectively.

Accordingly, in view of the averments made in the application, duly supported by affidavit of Chet Ram son of the deceased appellant, same is allowed subject to just all exceptions, without commenting upon the veracity and validity of the Will dated 31.01.2007. Legal representatives as mentioned in para No.4 of the application are brought on record and permitted to pursue the present litigation only. It is made clear that the present order will not be liable to be taken into consideration in any other set of proceedings.

CM stands disposed of.

RFA No.4344 of 2011

The appeal is disposed of.

For reasons, see detailed order of even date passed in RFA No.3552 of 2010 titled as “**Om Parkash and others Vs. State of Haryana and others.**”

31.01.2019
pvd

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No