

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

**CR No.3453 of 2022 (O&M)
Date of decision: 29.08.2022**

Gaurav and another

....Petitioners

Versus

Palak (minor) and another

....Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Satbir Rathore, Advocate
for the petitioners.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for setting-aside the impugned order dated 14.07.2022, passed by the trial Court vide which the application filed by the petitioners to implead them as LRs of Krishna Devi i.e. defendant No.2, has been dismissed.

Counsel for the petitioner has argued that the only ground taken by the trial Court, while dismissing the application is that the petitioners are not proved to be Class-I legal heir of Krishna Devi and therefore, their application is not maintainable.

Be whatsoever, in the absence of any other person coming forward or moving an application to implead himself/themselves as LRs of Krishna Devi, in order to decide the controversy, the estate of Krishna Devi cannot be left unrepresented and therefore, the trial Court should have allowed this application subject to final outcome of the case.

Accordingly, the present petition is allowed and the impugned order dated 14.07.2022 is set-aside and the petitioners are

directed to be impleaded as LR's of defendant No.2 Krishna Devi,
subject to final outcome of the case.

Disposed of.

Liberty is granted to the respondent/plaintiff to revive this
petition, if so advised.

(ARVIND SINGH SANGWAN)
JUDGE

29.08.2022
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No