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

**CR-4954-2022 (O&M)
Date of decision : 06.12.2022**

VISHNU PRAKASH

..... PETITIONER

VS

SHANKER LAL

..... RESPONDENT

CORAM : HON'BLE MR.JUSTICE ALOK JAIN

Present :- Mr. Ashwani Bhardwaj, Advocate for the petitioner.

ALOK JAIN, J. (Oral)

The present revision petition raises challenge to the order dated 12.09.2022 (Annexure P-1), whereby the application for bringing legal representative of the deceased respondent (landlord) has been allowed.

Counsel for the petitioner submits that the applicant-Sanjay Kumar is not the sole legal representative, and hence, the Court fell in error in not considering his reply, wherein, he categorically stated the details of other legal representatives of late Smt. Bimla Devi W/o of Late Shanker Lal.

Heard.

A perusal of the record shows that the ejectment petition under Section-13 of the Haryana Urban Control of Rent & Eviction Act, 1973 was

filed by the Shanker Lal and during the pendency of the said petition Shanker Lal expired leaving behind his wife, two sons and three daughters, However, on the basis of the Will dated 30.08.2013 only the wife of deceased Shanker Lal namely Bimla Devi was impleaded as legal representative. The said ejectment petition was allowed and the present petitioner has preferred an appeal against the same, which is pending before the Appellate Authority under the Haryana Urban (Control of Rent and Eviction), Gurugram.

During the pendency of the appeal, Smt. Bimla Devi also expired and her son Sanjay Kumar filed an application for bringing him on record as legal representative of the deceased/Bimla Devi and again relied upon a Will dated 19.05.2017, whereby the said property has been bequeathed to him.

The learned Court below after considering the matter allowed the application and has clearly recorded that the legal representatives is to be impleaded only for the purpose of prosecution of the said appeal. Be that as it may, the petitioner cannot be permitted to raise or take benefit of any inter se rights of the alleged legal representatives of the deceased-Bimla Devi.

Finding no infirmity in the order passed by the Courts below, the present revision petition is dismissed.

(ALOK JAIN)
JUDGE

06.12.2022
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Whether speaking/reasoned Yes/No

Whether Reportable Yes/No