



LAC & anr. Vs. Chet Ram & ors.

CMP Nos.2110 & 2111 of 2023
in RFA No.320 of 2013

11.11.2022 Present: Mr. Vivek Negi, advocate, for the non-applicants/appellants.

Mr. Naveen K. Bhardwaj, Advocate, for the applicants/respondents No.10 (a) to 10(c).

Mr. B.N. Sharma & Mr. Raj Kumar Negi, Additional Advocates General with Ms.Leena Guleria & Ms. Avni Kochhar Mehta, Deputy Advocates General, for respondent No.11/State.

CMP No.2110 of 2023

The present application has been filed under Order 1, Rule 10 CPC read with Section 151 CPC, for impleadment of applicants, namely, Amra Devi, Anuj Thakur and Naku Devi as respondents No.10(a) to 10(c), being legal representatives of deceased respondent No.10, Bhumi Chand.

2. Learned counsel for the non-applicants/appellants has no objection in case the present application is allowed.

3. Keeping in view the facts and circumstances of the case, the present application is allowed and the applicants namely, Amra Devi, Anuj Thakur and Naku Devi are ordered to be impleaded as respondents No.10(a) to 10 (c) in the array of respondents. The amended memo of parties is already on record.

4. The application stands disposed of.

CMP No.2111 of 2023

5. The present application has been filed on behalf of applicants/respondents No.10(a) to 10(c) i.e. Amra Devi, Anuj Thakur and Naku Devi, for release of the enhanced awarded amount of compensation lying deposited in the Registry of this Court.

6. As per the applicants, the appeal filed by the non-applicants/appellants has been finally decided by this Court and no further appeal has been preferred against the said judgment, hence, the amount of compensation lying deposited in the Registry of this Court be released in their favour.

7. Learned counsel for the non-applicants/appellants has submitted that he does not intend to file any reply to the application as the appeal bearing RFA No.320 of 2013, having been filed by the non-applicants/appellants, stands finally decided vide judgment dated 17.11.2017, passed by this Court and none of the parties to lis has laid challenge to the aforesaid judgment in the superior Court of law and, as such, he has no objection, in case the present application is allowed.

8. Heard. Having perused the averments made in the application, which are duly supported with the affidavits of the applicants and the fact that the judgment passed by

this Court has attained finality, this Court finds it in the interest of justice to release the enhanced amount of compensation, lying deposited in the Registry of this Court, alongwith up-to-date interest, falling in the respective shares of applicants/respondents No.10(a) to 10(c), after proper verification and identification by remitting the same to their respective bank accounts, details whereof have been given in paras-8 of the application.

The application stands disposed of.

March 14, 2023

(V/H)

(Sushil Kukreja)
Judge