

137 CR-2523-2023 (O&M)

**PANMESHWARI DEVI DECEASED TH LR
V/S
TAMANNA AND ORS.**

Present: Mr. Ravi Malik, Advocate,
for the petitioner.

CM-4060-CII-2024

In consonance with the order dated 27.04.2023 passed by this Court, the present application has been filed for placing on record the affidavit of Shashi Bala daughter of Parmeshwari Devi, petitioner.

In view of the averments made in the application, same is allowed and the requisite affidavit is taken on record.

Main case

Challenge in the present revision petition is to the order dated 27.02.2023 passed by learned Trial Court, whereby two applications filed for impleadment of legal representatives of defendant No.2 i.e. Panmeshwari Devi, were allowed. Shashi Bala was stated to be one of the daughters of the deceased-Panmeshwari Devi and other daughter was stated to be Raj Bala, who as per the memorandum of parties filed before learned Trial Court, copy whereof is Annexure P-3, is stated to have already died. However, in the order dated 27.04.2023, it has been submitted by learned counsel for the petitioner that erroneously the said application was allowed, as Raj Bala is still alive.

The affidavit of Shashi Bala has been taken on record today vide CM-4060-CII-2024.

In the given circumstances, to know in what manner the applications for impleadment were allowed and as to whether any concrete fact with regard to living status of Raj Bala or about her death, had come on

record, before allowing the application, it shall be appropriate to issue notice to the respondents and only thereafter, any appropriate order with regard to the contents of the affidavit of the observations made in the order dated 27.04.2023 shall be considered.

As such, notice of motion be issued to respondents No.1 and 2, as well as proforma respondents No.3 and 4 i.e. the alleged legal representatives of Raj Bala, for 20.04.2024.

(ARCHANA PURI)
JUDGE

04.03.2024
Himanshu