

**Puran Ram VS. Himachal Pradesh State Electricity Board &  
Ors.**

**CWP No.8179 of 2024**

**03.06.2025** Present: Mr. Pankaj Thakur, Advocate, for the petitioner.

Mr. Pankaj Chauhan, Advocate, vice Ms. Vandana Misra, Advocate, for the respondents.

**CMP.M Nos. 842 & 843 of 2025**

By way of instant applications, filed under Order 22 Rule 3 CPC and Section 5 of the Limitation Act, prayer has been made on behalf of proposed applicants/ petitioners for bringing on record the LR's of the deceased petitioner Puran Ram, after condonation of delay in filing the CMP.M No. 843 of 2025 and setting aside abatement, if any.

No replies to the applications are intended to be filed on behalf of the non-applicants/respondents.

Having perused the averments contained in the CMP.M No. 842 of 2024, this Court is convinced and satisfied that delay in maintaining the CMP.M No. 843 of 2025 is neither willful nor intentional, rather on account of circumstances, which were completely beyond the control of the applicant and as such delay, if any, in maintaining the CMP.M No. 843 of 2025 is condoned and abatement, if any, is also set aside.

It is quite apparent from averments contained in the CMP.M bearing No. 842 of 2025 as well as documents annexed therewith that deceased petitioner has left behind the LR's as mentioned in para No. 2 of the application. Since, right

to sue survives in favour of aforesaid LR's, who have otherwise approached this Court in the instant application, there is no impediment in accepting the application for bringing on record LR's of deceased petitioner. Accordingly, prayer made on behalf of the applicants for bringing on record LR's of deceased petitioner is allowed and proposed LR's as detailed in para 2 of the application bearing No. 842 of 2025 are ordered to be substituted in place of deceased petitioner, whose name is otherwise ordered to be deleted from the array of parties. Registry is directed to carry out necessary correction in the memo of parties on the basis of amended memo of parties annexed with the application. Applications stand disposed of.

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Since Mr. Pankaj Thakur, Advocate, has already filed Power of Attorney on behalf of newly impleaded petitioners, there is no necessity to issue notice.

Further four weeks' time, as prayed for, is granted to the respondents to file reply, failing which, this Court would be constrained to decide the petition on the next date of hearing on the basis of material already available on record.

List on 22.07.2025.

**June 03, 2025**  
(*sunil*)

**(Sandeep Sharma),**  
**Judge**