

(2018) 09 CHH CK 0240

Chhattisgarh High Court

Case No: W.P. (227) No. 788 Of 2018

Rajesh Kumar And Ors

APPELLANT

Vs

Must. Aasna Yadav And Ors

RESPONDENT

Date of Decision: Sept. 13, 2018

Acts Referred:

- Constitution Of India, 1950 - Article 227

Hon'ble Judges: Sanjay K. Agrawal, J

Bench: Single Bench

Advocate: Vivek Tripathi

Final Decision: Dismissed

Judgement

Sanjay K. Agrawal, J

1. In a claim petition filed by Smt. Aasna Yadav for death of her husband Dhanswar Yadav, the brothers and sisters of the deceased Dhanswar

Yadav also made an application for impleadment as party non-applicant in the said claim petition which was rejected by the learned Claims Tribunal

against which this writ petition under Article 227 has been preferred.

2. Learned counsel for the petitioners submits that the petitioners are the necessary party to be impleaded in the claims petition and, therefore, the

impugned order be set aside.

3. I have heard learned counsel for the petitioners.

4. On account of death of Shri Dhanswar, his widow Smt. Aasna Yadav has preferred the claim petition which is pending consideration before the

Claims Tribunal and the father and mother of the deceased have already been impleaded as party non-applicant in the claim petition therefore, the

Claims Tribunal is absolutely justified in rejecting the application filed by the brothers and sisters of the deceased. As such, I do not find any merit in the writ petition.

5. Accordingly, the writ petition deserves to be and is hereby dismissed. No order as to cost(s).