

RCA DJ NO.16/21

**SMT. IQBAL JAHAN Vs. LT. MOHD. YUSUF THROUGH LRS
NASIM BANO ORS**

24.11.2022

Present : Mr. M. Mukul & Mr. Rahul Tiwari, Ld. Counsel for
appellant.
LR no. iii – Marriam of respondent no.1 in person.
Respondent no.2 not served till date.

At this stage, an application for abating the suit qua LR of respondent no.1 mentioned at serial no. 1 (ii)- Taslim, since remaining LRs are already on record filed by the appellant. The same be taken on record. Submissions heard.

In view of the submissions, the application U/O 22 Rule 4A CPC is disposed of as allowed. Accordingly, the present appeal stands abated qua LR no. (ii) Taslim.

During the course of submissions, it is observed that the appeal pertains to the suit property i.e. JJ Colony Plot bearing property no. O-121, Sunder Nagari, Delhi.

Ld. Counsel for the appellant submits that since the property in question was allotted on license basis to the appellant herein, it cannot be sold further, though deceased respondent no.1 sold it to the respondent no.2 in violation of the rules governing the allotment of suit property.

In these circumstances, issue notice to the DUSIB as well as to the Slum and JJ Department (DDA as well as MCD) to appear and explain as to whether the licensed property can be disposed of by the licensee or not.

Put up for further proceedings on **16.05.2023**.

In the meanwhile, steps be also taken for service of the LRs of respondent no.2.

(Ajay Garg)
Additional District Judge-01
(East)/KKD/Delhi/24.11.2022