

27.03.2024

Present: None for the petitioner.  
None for R-2  
Sh. M.L. Sharma, ld. counsel for respondent no. 3  
Sh. Nikhil Kataria and Sh Tejasvi, ld. proxy counsel for R-4.

Ld. counsel for R-3 submits that the petitioner has died on 23.04.2023 during the pendency of the present petition. He further submits that the petitioner has executed a Will dated 3.11.2021 in favour of respondent no. 3 so now the respondent no. 3 has the right to claim interest in the property of deceased Mangal Rai through deceased petitioner being beneficiary in his property by way of registered Will dated 3.11.2021, so respondent no. 3 may be transposed as petitioner in the present case.

On 11.10.2023, R-2 had sought time to file reply to the application of R-3 filed under order 22 rule 3 CPC and the case was fixed for 12.01.2024. On 12.01.2024 also none appeared on behalf of R-2 and no reply has been filed on behalf of R-2. Therefore, right of R-2 to file reply on the application of R-3 is closed.

Ld. proxy counsel for R-4 seeks an adjournment to address arguments on the above said application as the main counsel is not available. Last opportunity is given to R-4 to address arguments on the above said application.

Put up on 03.07.2024 for arguments on the above said application.

(SHIV KUMAR)  
ADJ-02, West Distt.Tis Hazari Courts  
Delhi: 27.03.2024