

PC/52/2019
Parveen Kumar Narang Vs State
CNR No. DLWT01-

13.12.2022

Present: Sh. Naveen Grover, ld. counsel for petitioner.
Sh. Siddharth Mullick, ld. counsel for R-2 to 7.
Sh. Rajiv Bhasin, ld. counsel for R-8.
Sh. Vijay Kr. Wadhwa & Sh. Arush Kr., ld. counsels for R-14.

Petitioner has moved an application U/o 22 Rule 3 for bringing on record LR's of respondent no. 5. Respondent no. 5 expired on 07.05.2021. However, application to bring on record LR's was moved on 23.06.2022 but no application for seeking condonation for delay was moved. As per the application, respondent no. 5 left behind three LR's i.e. Gunjan Narang, Varun Narang & Anchal Chopra. Even though the said LR's have not been impleaded till now, Gunjan Narang & Varun Narang have filed their respective NOCs on 20.09.2022. Ld. counsel for the petitioner prays for some time to move an application seeking condonation of delay in moving LR application although he submits that the application is within limitation since respondent no. 5 has never been duly served in the present case and there is also no report on court record which indicates that he expired on 07.05.2021. Ld. counsel further submits that application for impleading LR's was moved as soon as he came to know about the death of respondent no. 5. Ld. counsel prays some time to inspect the court file also.

Arguments have also been addressed on the application U/o 39 Rule 1 & 2 moved by objector/R-14. Ld. counsel for the petitioner submits that he shall not create any third party interest on the estate of the deceased by way of sale/mortgage/transfer without the permission of the court. The application is thus accordingly disposed off in view of the undertaking of the ld. counsel for the petitioner.

Respondent no. 8 to 13 have been served. However, there is no appearance on behalf of respondent no. 9 to 13. Since maximum permissible period of 90 days to file W.S. has expired, respondent no. 9 to 13 are proceeded against *ex-parte*. Ld. counsel for

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R-8 submits that documents accompanying the petition have not been supplied. Ld. counsel for the petitioner submits that he will supply the same today itself.

Put up again for filing Written statement, which should be filed within the period of 30 days from today. Matter is adjourned for **17.03.2023** for further proceedings.

(Ajay Gulati-I)

ADJ-02, WEST

13.12.2022