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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **FAO 53/2009**

SHRI SURINDER SINGH

..... Appellant

Through: Mr. Varun Goswami and Mr. Rahul
Sinha, Advocates (Mob-9810117465)

versus

THE STATE OF NCT OF DELHI & ORS.

..... Respondents

Through: Mr. Rajesh Dabas and Namrath
Bhatnagar, Advocates for R-9 (Mob-
9810171925)

CORAM:

JOINT REGISTRAR (JUDICIAL) MS. SAVITRI (DHJS)

ORDER
20.07.2022

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It is informed jointly that respondent no.4 Ms. Dhanpati and respondent no.6 Smt. Darshan who were already ex-parte in the present proceedings, have died.

CM Application no. 8415-8517/2022

These applications have been filed to implead the LR's of deceased respondent no.7 Smt. Santosh and for condonation of delay in filing and re-filing the application for impleadment. The application is not opposed by the other side. When the process was tendered, the same was refused. Refusal amounts to service and therefore I deem service of LR's of Smt. Santosh. Heard on the application as the LR's have chosen not to appear therefore I am of the view that they have nothing to say. The application is merely



formal in nature and right to sue survives against these two LR's who are children of the deceased. Accordingly the application for impleadment is allowed and both of them are impleaded as respondents in the present matter. In view of the averments made in the applications seeking condonation of the delay, the same are allowed subject to cost of Rs. 2500/- to be paid in the Army Battle Casualties Welfare Fund.

There is a date of hearing already fixed before the Hon'ble Court.

**SAVITRI
JOINT REGISTRAR
(JUDICIAL)**

JULY 20, 2022/cd