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IN THE HIGH COURT OF DELHI AT NEW DELHI

TEST.CAS. 7/2011

RAJESH GARG

..... Petitioner

Through: Mr. H. S. Gautam, Adv. (joined
through VC)

Versus

STATE & ORS

..... Respondents

Through: Mr. Achal Gupta, Adv. for
State/R-1
Ms. Neha Singh, Adv. for R-3
(joined through VC)
Ms. Aarfa Khanam, Adv. for R-4
(joined through VC)

CORAM:

**JOINT REGISTRAR (JUDICIAL) MS. PRIYA
MAHENDRA, (DHJS)**

ORDER

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02.02.2024

**IA No.6306/2023 under Order XXII Rule 4 r/w Section
151 CPC moved by petitioner seeking impleadment of
LRs of R-7**

**IA No.6307/2023 under Section 5 of Limitation Act
moved by petitioner seeking condonation of delay in
filing application bearing IA No.6306/2023**

**IA No.6308/2023 under Section 151 CPC moved by the
petitioner seeking condonation of delay in re-filing in
IA No.6306/2023**

It is already stated by learned counsel for the
respondent no.1 that he does not wish to file any reply to
captioned IAs.

The opportunity to file reply to captioned IAs by
respondent no.2(i) to 2(vi), respondent no.3 and LRs No.A
to C of deceased respondent no.7 has already been ordered
to be closed.

As per office note, amended Memo of Parties filed



by the petitioner is on record.

As per office note further, notice issued to respondent no.4 & 5 through ordinary process received back un-served with the report of refusal; and notice issued to respondent no.6 through ordinary process received back un-served with report “locked”.

It is stated by learned counsel for the petitioner that respondent no.4 to 6 are served through Speed Post and that he has already filed Affidavit of Service with Tracking Reports in this regard. On perusal of the same, it is found that only respondent no.5 has been served with notice of the captioned IAs. Let reply, if any, to the captioned IAs be filed by the respondent no.5 within two weeks with copy to the opposite side, who is at liberty to file rejoinder, if any, within two weeks thereafter with copy to the opposite side.

At this stage, learned counsel for the respondent no.4 has joined the proceedings though VC and submits that she has not received copy of captioned IAs, to which learned counsel for the petitioner undertakes to supply the same within one week. Thereafter, reply, if any, to the captioned IAs be filed by the respondent no.4 within two weeks with copy to the opposite side, who is at liberty to file rejoinder, if any, within two weeks thereafter with copy to the opposite side.

At request, issue notice of the captioned IA to respondent no.6 by all permissible modes, on taking steps by the applicant. The notice be affixed in case of non availability or refusal or locked.

Re-notify captioned IAs for completion of service



qua respondent no.6/pleadings qua R-4&5/consideration
on 03.04.2024.

PRIYA MAHENDRA (DHJS)
JOINT REGISTRAR (JUDICIAL)
FEBRUARY2, 2024/ab
Click here to check corrigendum, if any