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

+ **CS(OS) 18/2017 & I.A. 552/2017**

CHAND VIR SINGH & ANR

..... Plaintiffs

Through: Ms. Shika Sapra and Mr. Sumit
Chander, Advs.

versus

PRITAM SINGH & ORS

..... Defendants

Through: Ms. Tamali Wad, Me. Deepak
Agarwal and Mr. Prince Anthony,
Advs. for D-1 to D-6
Ms. Garima Prashad and Mr. Shadab
Khan, Advs. for D-8 & 9
Mr. Pradeep Sehrawat & Mr. Chand
Ravi, Advs. for D-17

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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03.08.2017

**I.A. 8484/2017 (under Order 22 Rule 4 of the CPC to bring on
record the legal representatives of deceased defendant no. 3)**

Though, the notice in this application has been issued to the proposed legal representatives of deceased defendant no. 3, returnable on 07.09.2017.

Learned counsel enters appearance for the proposed legal representatives of deceased defendant no. 3 and submits that he has no objection if the application is allowed. Accordingly, the application is allowed. The proposed legal representatives of deceased defendant no. 3 are brought on record. Amended memo of parties is



taken on record.

I.A. 4797/2017

Arguments heard in part.

Learned counsel for the parties wish to produce the judgments on the legal proposition that Order 2 Rule 2 and the principles of *res judicata* are also applicable to a suit for partition.

CS(OS) 18/2017

Learned counsel appearing for defendant no. 1 to 6 submits that in the written statement filed by defendant no. 8 and 9 certain prejudicial statements to defendant no. 1 to 6 has been made and a response thereto is required to be filed.

Let the response to the written statement be filed within a period of four weeks.

Renotify on 18.09.2017.

SANJEEV SACHDEVA, J

AUGUST 03, 2017

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