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

+ **CS(OS) 98/2021**

ASHOK TYAGI

..... Plaintiff

Through: Mr. Vishal Maan, Advocate appeared
physically

versus

NARESH TYAGI & ORS.

..... Defendants

Through: None

CORAM:

**JOINT REGISTRAR (JUDICIAL) MS. TYAGITA SINGH,
(DHJS)**

ORDER

% **25.05.2022**

*Matter is taken up through physical hearing as well as video
conferencing.*

IA No. 2006/2022, IA No. 2007/2022 and IA No. 2008/2022

Perusal of the order dated 23.02.2022 of the Hon'ble Court reveals
that these applications have already been disposed off. **Registry is
directed not to list these IAs again in the cause list.**

**IA No. 2005/2022 (application filed by the plaintiff u/O XXII Rule 4 r/w
Section 151 CPC for impleading the legal heirs of deceased defendant
no.1)**

As per file noting, notice of this IA was served by way of ordinary
mode, but remained unserved to defendant no.2 with the report 'in sufficient
address'. Notice was served upon defendant nos. 3,4 and 5.

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Fresh notice of the application be issued to proposed defendants/all the four LR's of deceased defendant no.1 mentioned in para 2 of the present application on filing of PF by all permissible modes. Affidavit of service be filed atleast one week before the next date of hearing.

IA No. 2178/2021 (application filed by the plaintiff u/O XXXIX Rules 1 and 2 CPC for ad-interim injunction)

Reply of deceased defendant no.1 is on record.

IA No. 9039/2021 (application filed by the plaintiff u/O VI Rule 17 CPC for amendment of the plaint)

None of the defendants have filed reply to the present application.
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As per previous file noting, defendant no.2 was served by way of ordinary mode on 06.10.2021, but defendant no.3 remained unserved with the report 'incomplete address'. Defendant nos. 4 and 5 were served on 18.03.2021 by way of Speed Post.

Written statement of deceased defendant no.1 is on record.

At request, fresh summons be issued to defendant no.3 at his proper address on filing of PF by all permissible modes including electronic mode. Affidavit of service be filed atleast one week before the next date of hearing.

Put up for completion of pleadings on 28th September, 2022.

**TYAGITA SINGH, (DHJS)
JOINT REGISTRAR (JUDICIAL)**

MAY 25, 2022/savita