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

+ **CS(OS) 179/2014**

SURINDER SINGH REKHI

..... Plaintiff

Through : Ms.Rachna Agrawal, Advocates

versus

DR. T.S. REKHI & ORS

..... Defendants

Through : Ms. Sonali Kumar, Advocate for
defendant No. 2(a) and 2 (b),
defendant 2(c) in person,
Mr.Rajvinder Singh, Advocates for
defendant no.5,
Mr.Siddharth Khattar, for defendant
No.8(b),
Mr.Sonny Saran counsel for
defendant 8(c) with defendant 8(c) in
person,
Mr.Gurinder Singh Advocate for
defendant No. 9.

CORAM:

HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

% 20.07.2017

IA No.12697/2014

This application under Order 22 Rule 4 CPC is to implead the legal heirs of deceased defendant No.2(d) who is stated to have expired on 9th September, 2016. This fact was disclosed to the counsel for the plaintiff on 13th September, 2016 and hence she moved an application on 5th October, 2016 for impleading the legal



heirs. As she was not aware of all the legal heirs and came to know only of Ria Sarin, daughter of deceased defendant No. 2(d) she filed this application. There is no impediment if legal heir of defendant No. 2(d) is impleaded as a party to this suit. The application is allowed. Amended memo of parties be taken on record.

IA No.4417/2017

This application is moved by defendant No.2(a) and 2(b) for condonation of delay of 89 days in filing the documents. This Court had earlier allowed an application under Order 6 Rule 17 CPC moved by defendants 2(a) and 2(b) and vide order dated 17.11.2016 they were granted four weeks' time to file the documents. However there was some delay due to reasons mentioned in the application dated 29th March, 2017. Considering the submissions, the delay of 89 days in filing the documents stands condoned. The application is allowed. The documents shall be subject to proof during the course of evidence. IA stands disposed of.

CS(OS) 179/2014

List for framing of issues on 11th September, 2017.

YOGESH KHANNA, J

JULY 20, 2017
VLD