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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 3159/2021**
INDIAN HOTELS COMPANY LTD

.....Petitioner
Through: Mr. Kamal Kant Tyagi, Adv.

versus

MR. NAWAB ALI & ORS.

.....Respondent
Through: Mr. Mahesh Ranjan, Adv. for R-1 to 6
Mr. Kitu Bajaj, Adv. for R-7

CORAM: SH. SANJAY KUMAR SHARMA, REGISTRAR

ORDER

% **25.01.2024**

Today's Court proceedings are conducted through physical/hybrid mode.

CM APPL. 38835/2023 (u/O 22 Rule 3 CPC)

This is an application under Order 22 Rule 3 CPC filed by the petitioner seeking substitution of legal heirs of deceased respondent no. 4 Sh. Ram Sagar, who is stated to have died on 30.04.2021. A copy of the death certificate has been annexed with the application. The details of legal heirs of deceased respondent no. 4 is mentioned in para 2 of the application which includes wife and one son.

It is submitted by counsel for the petitioner/applicant that as per the information received from counsel for respondent no.4, these are the only legal heirs as mentioned in the application.



Counsel for the respondent nos. 1 to 7 have entered appearance and state that they have no objection to the application being allowed.

In the absence of any opposition, the application is allowed and legal heirs of deceased respondent no. 4 is brought on record.

Correct amended memo of parties be filed within two weeks.

Application stands disposed of.

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Counter affidavit stands filed by respondent nos. 1, 2, 3, 5 & 6 which is stated to have been adopted for legal heirs of deceased respondent no. 4 also. Rejoinder to the same has also been filed. Thus pleadings qua respondent nos. 1 to 6 are complete.

Counter affidavit filed on behalf of respondent no. 7 is reported to be returned under objection. Counsel for respondent no.7 undertakes to re-file the same after removing the objections within three days, with a copy to the counsel for the petitioner. Rejoinder thereto, if any, be filed before the next date of hearing.

List the matter before the Hon'ble Court on 06.02.2024, the date already fixed, for further directions.

REGISTRAR

JANUARY 25, 2024/pu