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

+ **FAO 123/2024**

**SH SHIV PRASAD THROUGH HIS LRS 1 SMT MISRO DEVI &
ANR.**

..... Appellants

Through: Mr. Raj Kumar Chandiwal and Ms.
Natasha Rani Khudania, Advs.

versus

SMT LAXMI DEVI & ORS.

..... Respondents

Through: None.

CORAM:

HON'BLE MS. JUSTICE SHALINDER KAUR

O R D E R

% **10.04.2024**

CM APPL. 21529/2024—Exp.

Allowed, subject to all just exceptions.

Application stands disposed of.

**FAO 123/2024 and CM APPL. 21528/2024—stay, CM APPL.
21527/2024—to implead LR of deceased appellant Shiv Prasad**

1. The present first appeal under Order XLIII Rule 1(d) r/w Section 104 and 151 Code of Civil Procedure, 1908 has been preferred impugning the order dated 13.03.2024 passed by learned ADJ-01, Dwarka Courts (South West), Delhi in Misc. APP. No. 426/2022 in CS No. 1976/2018 titled as “*Laxmi Devi vs. Hans Raj & Ors.*” whereby the application under Order IX Rule 13 CPC moved on behalf of the LR of deceased defendant no. 2 i.e., the appellant herein has been dismissed.



2. Upon taking necessary steps, issue notice through all permissible modes including via approved courier service, returnable for 15.04.2024.

SHALINDER KAUR, J

APRIL 10, 2024
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