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

+ **W.P.(C) 9791/2023**

**DAYA NAND AND ORS**

.....Petitioner

Through: Ms. Farheen Intakhab, proxy for  
Mr.Vinay Mudgal, Adv

versus

**DIVYA JYOTI JAGARATI SANSTHAN AND ORS**

.....Respondent

Through: Mr. Rahul Kumar Jain, Adv for R-1  
Mr.Sachin Nawani, Adv for R-5  
Mr.Tushar Sannu and Ms.Payal  
Rajput, Advs for DJB

**CORAM: SH. PAWAN KUMAR KALRA, REGISTRAR**

**ORDER**

% **27.03.2026**

Today's Court proceedings are conducted through hybrid mode.

**CM APPL. 25235/2025 (u/O 22 Rule 3 CPC qua petitioner no.4) & CM  
APPL. 25236/2025 (condonation of delay)**

CM No. 25235/2025 is an application under Order 22 Rule 3 CPC filed by the applicants seeking their substitution as legal heirs of deceased petitioner no.4, who is stated to have died on 15.09.2024. A copy of the death certificate has been annexed with the application. The details of legal heirs of deceased petitioner no.4 are mentioned in para 3 of the application which includes wife, one son and one daughter.

CM No. 25236/2025 is an application under Section 151 CPC filed by the applicants seeking condonation of delay of 224 days in filing the substitution application under Order 22 Rule 3 CPC.

Counsel for respondent no.3 had already stated that he has no objection



to the applications being allowed.

Reply stands filed by respondent no.1.Rejoinder thereto has also been filed.

During the course of dictation on the above applications, this Court considers it necessary to have on record the Surviving Member Certificate. Let counsel for the applicants file the aforesaid certificate within six weeks from today.

List these applications again for hearing on 22.07.2026. Let the registry inform counsel for all the parties electronically about the order passed above.

**REGISTRAR**

**MARCH 27, 2026/sk**