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

+ **CS(OS) 307/2015**

RAGHUVINDER SINGH Plaintiff

Through: None

versus

SUKHVIR SINGH & ORS Defendants

Through: Dr. Harshvir Pratap Sharma, Sr. Adv
with Mr. Tejas Patel, Adv for D-1 &
D-3
Mr. Dheeraj K. Garg, Adv for
applicant

CORAM:

**SH. DEEPAK WASON (DHJS), JOINT REGISTRAR
(JUDICIAL)**

ORDER

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06.02.2020

**IA no. 20/2018 (application under Order XXII Rule 3 CPC moved
by Ms. Kamal Kumari).**

Arguments heard on behalf of defendant nos. 1 & 3.

Be awaited for arguments on behalf of plaintiff and applicant.

**DEEPAK WASON (DHJS)
JOINT REGISTRAR (JUDICIAL)**

At this stage, Mr. M.S. Ahluwalia, Adv for plaintiff has
appeared alongwith plaintiff. Ms. Ritu Singh Mann, Mr. Dheeraj K.
Garg & Mr. Jay Kamal Agarwal, Adv for applicant Ms. Kamal

Kumar have also appeared.

Arguments heard at length. It is submitted by learned counsel for the applicant that applicant is claiming her right on the basis of WILL dated 20.02.2016. It is further submitted by her that there are five LRs of Lt. Smt. Chandermukhi and applicant is one of the LR of Lt. Smt. Chandermukhi. It is further submitted by learned counsel for the applicant that other two applicants namely Mr. Rakesh Gulia and Mr. Jitender Gulia have already given their no objection by way of signing their vakalatnama.

On the other hand, it is submitted by learned counsel for the plaintiff that applicant Lt. Smt. Chandermukhi was not having any right in the suit and during the pendency of the application, she expired and it is further submitted by him that applicant Lt. Smt. Chandermukhi was not necessary and proper party and present applicant has no locus standi.

I have gone through the entire record.

Since the applicant is claiming the right on the basis of WILL dated 20.02.2016 as legal representative and being one of the legal heir, I am of the view that in view of Chapter II Rule 3 (sub-rule 37) of Delhi High Court (Original Side) Rules 2018, notice of this application (IA no.20/2018) is required to be served upon other LRs i.e Smt. Suresh and Mr. Kuldeep. Applicant is directed to take steps within two weeks from today through all permissible modes.

Perusal of record shows that applicant has not filed no-objection affidavit of Mr. Rakesh Kumar Gulia & Mr. Jitendra Gulia i.e other LRs. Same be filed within six weeks from today, with

advance copy to the opposite party.

Re-notify the matter on **25.03.2020**.

DEEPAK WASON (DHJS)
JOINT REGISTRAR (JUDICIAL)

FEBRUARY 06, 2020/ym

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