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

+ RFA 741/2019

JAGAT SINGH & ORS

..... Appellant

Through:

versus

BABU RAM & ORS

..... Respondent

Through: Ms Jaspreet Kaur & Mr. Prag
Chawla, Advocates
Mob: 8459005913
Mr Rajat Aneja & Ms. Anushka,
Advocates
Mob: 9999932150

CORAM: MS. KAUSHLYA VERMA, REGISTRAR

ORDER

% 13.01.2023

CM APPL. 45894/2021 (delay of 212 days in moving application for bringing on record the proposed LR's of deceased appellant No.9) CM APPL.45896/2021 (delay of 336 days in moving application to bring on record the proposed LR's of appellant No.11) CM APPL.45897/2021 (delay in re-filing).

Appellant No. 9 is stated to have died on 06.06.2020 and the application for bringing on record her proposed legal heirs was moved on 16.12.2021. Appellant No. 11 is stated to be died on 03.02.2020 and the application for bringing on record her proposed legal heirs was moved on 16.12.2021.

CM APPL.45897/2021 has been filed for condonation of delay of 320 days in re-filing of CMs for bringing on record the LR's of the deceased appellant Nos. 9 & 11.

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In view of the Supreme Court order passed in suo muto writ petition (C) No. 3 of 2020, wherein a period w.e.f. 15.03.2020 to 28.02.2022 stands excluded for the purpose of computing limitation period for all quasi judicial/ judicial proceedings, the applications for bringing on record the proposed legal heirs of deceased appellant No.9 and 11 have been filed well within time. The applications have become infructuous and are dismissed as such.

CM APPL.45892/2021 (u/O 22 Rule 3 CPC for bringing on record the LRs of appellant No.6),

On 17.08.2022 Ld. Counsel for the respondent Nos. 2 to 22 submitted that she has no objection to the applications being allowed. No reply has been filed by respondents 23 to 29 despite last opportunity. In view no objection given by R 2 to 22 and respondents 23 to 29 having chosen not to file reply, the present application needs to be allowed. However, perusal of records reveals that death certificate of deceased appellant No.6 has not been annexed to the application. Let the death certificate be filed before the next date of hearing.

Renotify on 25.1.2023.

CM APPL.45893/2021 (u/O 22 Rule 3 CPC for bringing on record the LRs of appellant No.9), CM APPL.45895/2021 (u/O 22 Rule 3 CPC for bringing on record the LRs of appellant No.11),

On 17.08.2022 Ld. Counsel for the respondent Nos. 2 to 22 submitted that she has no objection to the applications being allowed. No reply has been filed by respondents 23 to 29 despite last opportunity. In view no objection given by R 2 to 22 and respondents 23 to 29 having chosen not to file reply, the applications are allowed. LRs. mentioned in respective



application are brought on record.

CM APPL.33326/2022 (u/O 22 Rule 4 CPC for bringing on record the LRs of respondent No.1)

Court record reveals that death certificate of respondent No. 1 has not been placed on record. LRs of deceased respondent No. 1 shall file the same before the next date of hearing.

List on 25.01.2023.

REGISTRAR

JANUARY 13, 2023/k

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