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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **TEST.CAS. 27/2011**
ALOK KUMAR SINGHAL & ANR Petitioners

Through Mr. Amit Choudhary, Adv.

Versus

SUNITA GOEL & ORS Respondents

Through Mr. Ankur Goel & Mr. Lovekesh
Aggarwal, Advs. for LR's of deceased
respondent no.3
Mr. K. B. B. Singh, Adv. for R-1&5

CORAM:
ASHUTOSH KUMAR (DHJS), JOINT REGISTRAR
(JUDICIAL)

ORDER

% **17.04.2017**

IA No.16267/2016 u/O XXII R4 r/w OI R10 and r/w Section 151
CPC moved by petitioners for substitution of two legal heirs of
deceased respondent no.3 Smt. Sanju Gupta

Learned counsel for petitioners has submitted that inadvertently names of only two daughters of deceased Smt. Sanju Gupta as LR's for their substitution are mentioned in the captioned IA, whereas her husband Mr. Rajinder Gupta (r/o C-9/2, Ground Floor, Model Town-3, New delhi-110009) is also alive and the captioned IA may also be treated for his substitution.

Learned counsel for contesting respondents and three LR's of deceased respondent no.3 have no objection to the said request as well as to the captioned IA. Photocopy of death certificate of Smt. Sanju

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Gupta is on record which shows her date of death as 18.04.2016.

Considering the facts and circumstances and in view of no opposition to the captioned IA, same is allowed and all the three LR's of deceased respondent no.3 are permitted to be substituted in her place. Amended memo of parties be filed by the petitioners within one week. IA stands disposed of.

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From order dated 28.05.2013, it is clear that reply has already been filed by petitioners to the objections of respondent no.1&5 and respondent no.3&4 had already filed their affidavit of 'No objection'

From order dated 18.07.2011, it is apparent that respondent no.2 expired and since her LR's were already on record, therefore her name was deleted from the array of parties. However amended memo of parties in this regard has not come on record and same be brought on record.

Learned counsel for LR's of deceased respondent no.3 (substituted today) has submitted that he does not wish to file any reply/objection as the said respondents are supporting the case of the petitioners.

As per office note, citation has already been filed.

Valuation report of the subject property has already been received it is clear from the order dated 28.05.2014 of learned Predecessor.

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Re-notify the matter for admission/denial of documents
alongwith CS(OS) 2035/2013 on 05.07.2017.

ASHUTOSH KUMAR (DHJS)
JOINT REGISTRAR (JUDICIAL)

APRIL 17, 2017/ab