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IN THE HIGH COURT OF DELHI AT NEW DELHI

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LA.APP. 43/2022 & CM APPL.3434/2022

NORTH DELHI MUNICIPAL CORPORATION Appellant

Through: Ms. Namrata Mukim, Standing Counsel
with Ms. Garima Jindal, Advocate
for MCD

versus

SH.MAHAVEER SINGH & ORS.

..... Respondent

Through: Mr. Sumit Rajput for respondent
Nos. 1 to 4 and 7 to 11
Ms. Urvashi Sharma, Advocate for
Mr. J.K. Jain, Advocate for
Respondent Nos.5, 6, 19 to 40 & 44
to 46
Ms. Rini V. Tigga Adv. for
Mr.Sanjay Kr. Pathak Adv. for
respondent No.47/UOI

CORAM: MS. KAUSHLYA VERMA, REGISTRAR

ORDER

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31.10.2022

Today's Court proceedings are conducted through physical/hybrid mode.

Perusal of order sheet dated 21.03.2022 reveals that Mr.J.K. Jain, learned counsel for some of the respondents apprised the Court about the death of respondents **20,35,37 and 38. No steps have been taken by the appellant to bring the LRs on record of the said respondents. Let the needful be done.**

Learned Counsel for the appellant submits that the service on all the respondents is complete and she has also filed an affidavit of



service under order 3 rule 5 CPC. However, the same is not on record learned Counsel for the appellant is directed to check with the registry and have the same placed on record before the next date.

As per office report, notice could not be issued to respondent Nos.1 to 4, 12 to 18 and 41 to 43 as process fee was not filed by the appellant. Today, however, Mr. Sumit Rajput has entered appearance on behalf of respondents 1 to 4 and 7 to 11. He further states that counsel appearing for respondents before the learned lower Court are different from the ones appearing before the High Court and therefore, to sort out the issue of service of process on counsel/ respondents, the learned counsel for the appellant may be directed to appear in person on the next date of hearing. Ordered accordingly.

Now, respondents No.12 to 18 remain to be served.

Vide order dated 19.04.2022, the appellant was directed to deposit the remaining 25 per cent of the decretal amount within ten weeks from the date of previous order dated 19.01.2022 and was thus required to deposit the said amount by 20.04.2022. However, the said order of the Hon'ble Court has not been complied with by the appellant. Learned counsel appearing for the appellant seeks some time to have instructions and requests for a short adjournment. As requested, re-notify on 16.11.2022.

REGISTRAR

OCTOBER 31, 2022

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