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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **RFA 34/2022**

PARMANAND & ANR.

..... Appellants

Through: Mr.Lalit Kumar and Ms.Rakhi
Rajput, Advocates.

versus

DHARA SINGH

..... Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

% **31.01.2022**

1. The hearing has been conducted through Video Conferencing.

CM APPL.No.5390/2022

2. Exemption allowed, subject to all just exceptions.

3. The application stands disposed of.

RFA 34/2022 & CM APPL.Nos.5389/2022

4. This appeal is filed by the appellant under Section 96 CPC read with Order 41 Rule 1 CPC to set aside the impugned judgement and preliminary decree dated 26.10.2021 passed by the learned ADJ-02, District Shahdara, Karkardooma Courts, Delhi in case CS No.1807/2016 title as *Dhara Singh vs. Parmanand & Ors.* in respect of the property which belongs to the deceased father of both the appellants and respondent.

5. It is the submission of the learned counsel for the appellants, the mother of both the parties is still alive and yet was not made a party before the learned Trial Court despite the fact the property was in the name of Mrs.Brahma Devi, the Grandmother of the appellants and respondent.

6. Issue notice to the respondent through all modes including email and



WhatsApp etc. returnable for 07.04.2022.

JANUARY 31, 2022

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YOGESH KHANNA, J.