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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **TEST.CAS. 85/2019**
MS. REKHA CHANDOK

.....Petitioner
Through: Mr. Nitesh Jain with Mr. Vatsal
Chandra, Advocates for LR's of
petitioner.
Petitioner is stated to have expired.

versus

STATE & ORS.

.....Respondent
Through: Mr. Anbhinav Singh & Ms. Pooja
Sharma, Advs. for R-1/State.
Mr. Raghav Anand, Adv. for R-2
& 4 (through VC).
Mr. Amit Sethi and Ms. Ekadhana
Sethi, Advs. for R-3, 5 & 6 (Mob.
No. 9811050339).

CORAM:
JOINT REGISTRAR (JUDICIAL) SH. DEVENDER
KUMAR GARG (DHJS)

% **ORDER**
10.09.2024

Proceedings are being conducted through hybrid mode.

I.A. No. 34525/2024 (by LR's of petitioner u/O XXII Rule
3(i) of CPC for impleading them as LR's).

1. As per office noting, PF not filed for service of notice of captioned IA upon the respondents.
2. Ld. Counsels appearing for respondents accept notice of the captioned IA and submit that they do not wish to file any reply to the same and have no objection if the same is allowed.



3. Ld. Counsel for applicants/proposed LR's of petitioner has submitted that the petitioner has passed away on 4.6.2024 leaving behind her daughter Ms. Tarini Chandok, son Mr. Ishan S. Chandok and another daughter Ms. Natasha Chandok and they are only legal heirs of the deceased petitioner and right to sue survives in their favour and hence, their names may kindly be brought on record as LR's of the petitioner. He has further submitted that copy of death certificate of the petitioner is attached with the captioned IA.
4. Heard. The factum of death of deceased petitioner has not been disputed by the respondents. It is also not in dispute that the above said legal heirs no.(A), (B) and (C) as mentioned in para 4 of the captioned IA are only legal heirs of deceased petitioner. Copy of death certificate of deceased petitioner is already on record, as per which, she expired on 04.06.2024. Right to sue survives in favour of LR's of deceased petitioner. In present facts, legal heirs no.(A), (B) and (C) of deceased petitioner as mentioned in para 4 of the captioned IA are taken on record as LR's of the deceased petitioner.
5. Amended memo of parties filed alongwith the captioned IA is taken on record.
6. The captioned IA stands disposed off accordingly.

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7. Ld. Counsel for respondent no.1/State has submitted that complete details of suit properties are required for filing valuation report. Let the same be filed within four weeks and thereafter, respondent no.1 may file valuation report of the suit properties within four weeks.



8. Ld. Counsel for LR's of petitioner as well as Ld. Counsel for respondents no.3, 5 & 6 have submitted that matter may be referred for mediation.
9. Ld. Counsel for respondents no.2 & 4 seeks time to take instructions from his clients for mediation.
10. In view of submissions of the parties, the present matter is referred to Delhi High Court Mediation & Conciliation Centre for exploring the possibility of settlement for 24.09.2024 at 02.30 p.m.
11. Re-notify the present matter for awaiting mediation report / further proceedings on **14th November, 2024.**

**DEVENDER KUMAR GARG (DHJS)
JOINT REGISTRAR (JUDICIAL)**

SEPTEMBER 10, 2024/v

Click here to check corrigendum, if any