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

+ CS(OS) 635/2019 and IA No. 842/2021 (application filed by defendant no.1 u/O VIII Rule 9 CPC r/w Section 151 CPC seeking to file subsequent proceedings/additional written statement in opposition to the written statement filed by defendant nos. 2 to 5)

ARUN KUMAR JAIN Plaintiff

Through: Ms. Aditi Shastri,
Advocate appeared
physically

versus

PADAM CHAND JAIN & ORS Defendants

Through: Mr. Rachit Gumber,
Advocate for Defendant
no.1 appeared physically
Mr. Shubhankar Sen
Gupta, Mr. Amit and Mr.
Aarush Bhatia, Advocates
for Defendant nos. 2 to 5,
7, 8A, 9, 10A to 10C and
11 appeared physically
Mr. Shekhar Gupta and
Mr. Shashank Upadhyay,
Advocates for Defendant
nos. 8(b) and 8 (c)
appeared physically
(M: 7566060069)

(email: shashank4473@gmail.com)

CORAM:
JOINT REGISTRAR (JUDICIAL) MS. TYAGITA SINGH, (DHJS)

ORDER

% **03.02.2023**

Matter is taken up through physical hearing as well as video conferencing.

IA No. 12625/2021 (u/O XXII Rule 4 CPC seeking substitution of deceased defendant no.11- Smt. Usha Rani Jain)



Learned counsel for  Sh. Yogesh Jain of deceased defendant no.11 has stated that affidavit of compliance has been filed by LR Sh. Yogesh Jain, according to which there were two daughters of deceased defendant no.11, namely Smt. Vandana Jain and Smt. Poonam Jain, who have also expired and details of their respective legal heirs is mentioned in the affidavit of compliance dated 31.01.2023. Copy supplied.

Learned counsel for the plaintiff seeks some more time for taking steps for moving fresh application under Order 22 Rule 4 CPC for impleadment of all legal heirs of deceased defendant no.11. Steps be taken within two weeks.

IA No. 3762/2021 (u/O XXII Rule 4 CPC seeking substitution of deceased defendant nos. 6 –Smt. Darshan Mala Jain)

Learned counsel for the plaintiff has stated that she has already filed affidavit of service on record, according to which notice of this application has been served by the Speed Post to the remaining unserved legal heirs of deceased defendant no.6.

None has appeared on behalf of legal heirs of deceased defendant no.6 despite service.

Be awaited for appearance of legal heirs of deceased defendant no.6.

CS(OS) 635/2019

Learned new counsel Mr. Shubhankar Sen Gupta for Defendant nos. 2 to 5, 7, 8A, 9, 10A to 10C and 11 appeared physically has stated that he will file vakalatnama on behalf of the said defendants within one week.

Put up for further proceedings on 17th April, 2023.

**TYAGITA SINGH, (DHJS)
JOINT REGISTRAR (JUDICIAL)**

FEBRUARY 3, 2023/savita

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