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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(OS) 1780/2006**
DIWAN CHAND ANAND Plaintiff

Through: Mr D. K. Thakur, Adv

versus

SHRI DEEP CHAND ANAND AND OTHERS FC+ Defendant
Through: Mr Sushil Dutt Salwan, Adv for D1 to 3

CORAM:

SH. AJAY KUMAR KUCHAR (DHJS), JOINT REGISTRAR (JUDICIAL)

ORDER

% **22.05.2017**

IA No. 2610/2016 (u/S 151 CPC for taking amended memo of parties on record filed by the plaintiff)

Previous direction of the notice of the present IA to the non applicants through counsel has not been complied with.

Learned counsel for defendants 1 to 3 submits that he has not received copy of this IA.

Let the same be supplied during the course of the day on proper receipt.

I have heard the submission of counsel for the plaintiff/applicant who submits that it is a formal application and its disposal till dispose off two IA bearing Nos. 13663/2015 & 124259/2015 already filed.

He further submitted that vide order dated 25.08.2014, IA No. 249/2009 which was moved by Smt Shakuntala Jaitely w/o Late Sh Gyan Chand for impleading her as LR's in the application alongwith

her two daughters and one son namely Avinash Jaitley was allowed.

Learned counsel further submitted that he was not aware about the order dated 25.08.2014 therefore he had moved the IA No. 13663/2015 after the order dated 10.04.2015, on the ground that Smt Shakuntala Jaitley was neither defendant nor impleaded as legal heirs of any defendants. Therefore, there was no requirement of impleading her legal heirs on record.

In the IA No. 24259/2015 filed by the plaintiff, it was stated that the application under Order 1 Rule 10 CPC of Shakuntala Devi by disposed of.

In this background of the case, the present application has been moved, it is not clear whether Ms Rama Devgan & Ms Veena Jaitley who have already been impleaded as defendants by virtue of IA No. 249/2009, have been served with notice of this application.

Learned counsel for the defendants 1 to 3 has also not received the copy of this IA, let same be supplied today. He is at liberty to file any response within four weeks from today and plaintiff shall comply with the previous direction and notice of this IA be issued to the non applicant through counsel on filing of PF.

Steps be taken within two weeks time.

Dasti if so advised.

Renotify this matter on 11.09.2017.

**SH. AJAY KUMAR KUHAR (DHJS)
JOINT REGISTRAR (JUDICIAL)**

MAY 22, 2017

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