



\$~1

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

+ **MAC.APP. 461/2011**

NATIONAL INSURANCE CO LTD Appellant

Through: **Mr. Pankaj Seth, Advocate**

versus

SEWTI DEVI & ORS Respondents

Through: **Mr. Varun Kumar, Advocate for**
Respondent Nos.1 & 2

Mr. Pawan Sharma and Mr. Om
Prakash, Advocates for Respondent
Nos. 5 to 7

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

% **05.09.2018**

CM APPL. 2391/2013 (seeking condonation of 177 days' delay in re-filing the application under Order XXII Rule 4 CPC)

For the reasons stated in the application, it is allowed and the delay in re-filing the accompanying application is condoned.

Application stands disposed of accordingly.

CM APPL. 2390/2013 (seeking condonation of 147 days' delay in re-filing the accompanying application under Order XXII Rule 4 CPC)

Upon hearing, I find that the delay occasioned is not sufficiently explained but the delay is condoned by putting appellant/ applicant to terms.

MAC.APP. 461/2011

Page 1 of 3



Application is allowed subject to cost of ₹10,000/- to be deposited with the Prime Minister's National Relief Fund within four weeks. On production of the receipt of costs, delay in filing the accompanying application is deemed to be condoned.

The application is accordingly disposed of.

CM APPL. 2389/2013 (under Order XXII Rule 4 CPC seeking impleadment of legal heir of deceased respondent No. 4.)

The particulars of the legal heirs are spelt out in Paragraph No. 3 of the application. It is pointed out by the counsel for appellant/ applicant that the legal heir – Suman is not the legal heir of deceased respondent No. 4. Rest of the legal heirs of respondent No. 4 are served but there is no appearance on their behalf.

Upon hearing, the application is allowed and legal heirs except Suman as mentioned in the Paragraph no. 3 of the application are brought on record.

Application stands disposed of accordingly.

CM APPL. 33043/2017 (under Order 1 Rule 10 CPC)

This application is disposed of in terms of the last order.

CM APPL. 10146/2011 (Stay)

Service is complete.

Upon hearing, interim order of 23rd May, 2011 is made absolute. The application is disposed of.



MAC.APP. 461/2011

As per orders of 17th February, 2016 and 5th September, 2016, first three respondents are served but none appears on their behalf. They are proceeded *ex parte*.

None appeared for legal heirs of respondent No. 4. They are also set *ex parte*.

Service is complete. Appellant to file fresh amended memo of parties within four weeks.

Admit.

Hard copy of the record be requisitioned.

At request, list the matter in the category of '*Regulars*' in Part B in the week commencing 15th October, 2018.

SUNIL GAUR, J

SEPTEMBER 05, 2018

PB



This is a digitally signed order.

The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.

The Order is downloaded from the DHC Server on 24/06/2026 at 22:17:52