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

+ W.P.(C) 2268/2017

DILBAG SINGH & ORS

..... Petitioners

Through: Mr. Siddharth Aggarwal, Advocate.

versus

VIJAYA BANK & ANR

..... Respondents

Through: Mr. Niteen Sinha, Advocate for R-1.
Counsel for R-2 (appearance not given).

CORAM:

SH. LORREN BAMNIYAL, REGISTRAR

ORDER

% **14.05.2018**

CM APPL No. 45596/2017 (under Order 22 Rule 3 CPC)

This is an application under Order 22 Rule 3 CPC for bringing on record the proposed legal heirs of deceased petitioner No.3/Shri Jagdish Chander, who is stated to be died on 12.09.2017. A copy of the death certificate has been placed on record. The details of the legal heirs are mentioned in para 3 of the application, which includes his wife, one son and two daughters. Learned counsel for the applicants submits that apart from the legal heirs named in the application, there are no other legal heirs of the deceased petitioner No.3.

Notice of the application stands served on the respondents. Learned counsel for the respondents submits that they have no



objection to the application being allowed and the proposed legal heirs being substituted as petitioner no. 3 in the writ petition.

Accordingly, in the absence of any opposition to the application, the same is allowed and the proposed legal heirs of the deceased petitioner No. 3, as mentioned in para 3 of the application, are substituted as petitioners No. 3 in the writ petition. Amended memo of parties filed alongwith the application is taken on record.

Application stands disposed of.

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Counter affidavit stands filed on behalf of respondent no. 1. Learned counsel appearing for respondent no. 2 seeks some more time to file the counter affidavit. Let the same be filed within four weeks with advance copy to learned counsel for the petitioner, who may file rejoinder to both the counter affidavits within two weeks thereafter.

Re-notify on 27th August, 2018.

REGISTRAR

MAY 14, 2018/p