



\$~22

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

+ **W.P.(C) 3569/2010**

ASHOK KUMAR

..... Petitioner

Through: Mr. R.K. Saini, Advocate

versus

D.D.A.& ANR.

..... Respondent

Through: Mr. Arun Birbal, Advocate for DDA

CORAM: SH. LORREN BAMNIYAL, REGISTRAR

ORDER

% **28.07.2017**

CM No.26666/2017 (u/O 1 R 10 CPC)

This is an application under Order 1 Rule 10 CPC seeking deletion of the name of respondent No.2 from the array of parties.

Notice.

Mr. Arun Birbal, Advocate accepts notice on behalf of respondent No.1 and submits that he has no objection to the application being allowed and respondent No.2 being deleted from the array of parties.

List the application before the Hon'ble Court on 28.08.2017.

Page 1 of 3



CM No.26665/2017 (u/S 151 CPC for substitution of legal heirs of deceased petitioner)

This is an application under Section 151 CPC for bringing on record the legal heirs of deceased petitioner-Ashok Kumar, who is stated to have died on 27.09.2016.

The application makes a mention of three legal heirs of the deceased petitioner, namely, his widow-Smt. Sarita Sharma, one married daughter-Smt. Yashika Sood and the applicant himself-Sh. Arun Sharma. Learned counsel for the applicant further submits that the widow-Smt. Sarita Sharma of the deceased petitioner has also expired on 03.04.2017 and further that another legal heir, namely, Smt. Yashika Sood has executed a registered Relinquishment Deed dated 12.06.2017 in favour of the applicant-Mr. Arun Sharma, giving up her rights in favour of the applicant. A copy of the Relinquishment Deed has been placed on record.

Notice.

Mr. Arun Birbal, Advocate accepts notice on behalf of respondent No.1-DDA and submits that he has no objection to the application being allowed and the applicant-Mr. Arun Sharma being substituted as petitioner in the writ petition

In the absence of any opposition to the application, the application is allowed subject to just exceptions and the applicant-Mr. Arun Sharma is substituted as petitioner in the present writ petition.

Petitioner to file the amended memo of parties filed within four weeks.



Application stands disposed of.

CM No.4869/2017 (u/O 22 R 3 CPC filed by the proposed LR's of deceased petitioner seeking permission to come on record) & CM No.4870/2017 (delay)

In view of the death of one of the legal heirs, namely, Smt. Sarita Sharma, these applications have become infructuous and dismissed as such.

The matter need not be listed on 04.08.2017.

W.P.(C) 3569/2010

List the matter before the Hon'ble Court on 28.08.2017.

REGISTRAR

JULY 28, 2017

vk

Page 3 of 3