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

+ LA.APP. 318/2014

UNION OF INDIA

..... Appellant

Through: Ms. Jyoti Tyagi, Advocate.

versus

RAM NIWAS & ORS

..... Respondents

Through: Mr. Rohit, Advocate for DDA.

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

% **04.05.2017**

C.M. No.9692/2017 (under Order 22 Rule 4 CPC by appellant)

1. Though this application is titled as under Order 22 Rule 4 of Code of Civil Procedure, 1908 (CPC) to bring on record the legal heirs of the deceased respondent no.8, it is seen that the respondent no.8 died on 27.10.2009 i.e before filing of the present appeal. Accordingly the legal heirs of the deceased respondent no.8 are not to be brought on record under Order 22 CPC but they have to be impleaded as parties to the appeal in view of Section 146 CPC. This application is therefore allowed and the legal heirs of deceased respondent no.8 are made as party respondents to the present appeal.

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C.M. stands disposed of.

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2. **ADMIT.**

3. List in due course in the category of 'Regular Matters' as per the year of its seniority. Trial court record be requisitioned.

VALMIKI J. MEHTA, J

MAY 04, 2017

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