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

+ **FAO 139/2016**

SANTOSH CHATURVEDI

..... Appellant

Through: Mr. D.D. Dayani, Advocate.
(Mob-9811114262)

versus

STATE (NCT OF DELHI) & ORS.

..... Respondents

Through: None.

CORAM:

JOINT REGISTRAR (JUDICIAL) SUGANDHA AGGARWAL

ORDER

% **19.09.2022**

**CM Nos. 41150/2022 (U/O. XXII Rule 2 and 3 CPC) and 41151/2022
(for delay)**

1. Applicants have filed CM No. 41151/2022 praying for condonation of delay in filing application Under Order XXII Rule 2 and 3 CPC and another CM No. 41150/2022 praying for impleadment of legal heirs of deceased appellant.
2. Respondents are already served with the notice of both the applications. No reply has been filed by the respondents nor there is any appearance on behalf of respondents. It appears that respondents have no objection to the applications. For the reason stated in the application seeking condonation of delay, the same is allowed and delay in filing CM No. 41150/2022 is condoned.
3. Now the CM No. 41150/2022 is taken up for consideration. The appellant has expired on 30.04.2021. Applicants are her sons. It is submitted that the deceased appellant is not survived by any other class-I legal heirs except the applicants. The right to sue survives in favour of applicant. No objection has been raised by the respondents.



4. Hence, application is allowed.
5. Amended Memo of Parties already filed is taken on record.

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Let the matter be placed before the Hon'ble Court on 14.10.2022.

**SUGANDHA AGGARWAL
JOINT REGISTRAR
(JUDICIAL)**

SEPTEMBER 19, 2022/yo