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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **EX.P. 44/2016**

LAKSHMI BUILDERS Decree Holder

Through Mr. Vikas Tiwari, Adv.

versus

DEVINDER LAKRA Judgement Debtor

Through Mr. Niteen Kr. Sinha, Adv. for
Garnishee/Vodafone Mobile Services
Ltd.

Ms. Priyanka Dass, Adv. for objector

CORAM:

SHARAD GUPTA (DHJS), JOINT REGISTRAR (JUDICIAL)

ORDER

% **20.03.2019**

**E.A. No.27/2019 u/O XXII R 3 r/w Section 151 CPC moved by
LRs of decree holder**

At request, the captioned IA has already been treated as u/O
XXI R 16 r/w Sections 146 and 151 CPC.

Learned counsel for Garnishee has already given no objection
to the captioned IA.

Learned counsel for objector Allahabad Bank is present and
submits that she has no objection to the captioned IA with the caveat
that the objector will raise appropriate submission and objection
regarding the status of the decree holder before the Hon'ble Court in
the EA/objections already filed by the objector.

Proposed LR Mr. Piyoosh Sharma is stated to be differently
abled and suffering from 100% Mental Retardation. Requisite
certificate issued by the office of Civil Surgeon, Gurgaon is already
filed on record. The proposed LR has been examined on last date for

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the purpose of enquiry u/O XXXII R 15 CPC. Memorandum of his examination has been separately recorded. Proposed LR Mr. Piyoosh Sharma was unable to answer any questions. The proposed LR was also unable to sign the memorandum of examination. I am satisfied that the proposed LR Mr. Piyoosh Sharma is incapable of protecting his interest due to Mental Retardation.

Proposed LR Ms. Vaishnavi Sharma is stated to be minor. Affidavit of the proposed guardian/mother Ms. Meenu Sharma has been filed on record asserting that she has no right/title adverse to that of the minor and proposed LR with disability.

In view of above, the captioned IA is disposed of as allowed to the extent that LRs of deceased decree holder are allowed to be brought on record in exercise of jurisdiction under Order XXII R 16 r/w Section 146 and r/w Section 151 CPC. IA stands disposed of.

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At request, let the matter be placed before the Hon'ble Court on 09.04.2019, for further directions

**SHARAD GUPTA (DHJS)
JOINT REGISTRAR (JUDICIAL)**

MARCH 20, 2019/ab