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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **TEST.CAS. 50/2013**

SHALINI SETHI & ANR

.....Petitioner

Through: Mr. Darsh Bansal, Adv. (through
VC).

versus

GOVT OF NCT OF DELHI & ORS

.....Respondent

Through: None for R-1.

Ms. Priya Puri and Ms. Pinki
Aggarwal, Adv. for R-2 (through
VC).

Ms. Dipika Prasad, Advocate for
R-3(ii) to (iv) [M. 8800149680]

Mr. Jeevesh Nagrath, Mr. Arjun
Gaur and Mr. Rajat Gupta, Adv.
for LR's of R-4.

Mr. Ashish Verma & Mr. Kartikay
Bhargava, Adv. for R-5 (through
VC).

Mr. Pranav Pareek, Adv. for R-6
(through VC).

R-3(i) was deleted from array of
parties vide order dated 6.11.2023.

CORAM:

**JOINT REGISTRAR (JUDICIAL) SH. DEVENDER
KUMAR GARG (DHJS)**

ORDER

30.05.2024

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Proceedings are being conducted through hybrid mode.

**I.A. No. 8377/2016 (by R-3(ii) & (iii) u/O XIV Rule 1(5)
and u/O X Rule 2 of CPC)**

1. Pleadings qua the captioned IA are already complete as
recorded in order dated 06.11.2023.



I.A. No. 12467/2022 (by petitioner u/O XXII Rule 4 CPC for substitution of LR's of R-4)

2. It was already submitted on behalf of respondent no.3(ii), 3(iii), 5 and proposed LR's of respondent no.4 that they have no objection if the captioned IA is allowed.
3. In view of the service report, respondent no.6 has been served through speed post.
4. Ld. Counsel for respondent no.6 submits that he does not wish to file any reply to the captioned IA and has no objection if the same is allowed.
5. Pleadings qua the captioned IA are complete.
6. Ld. Counsel for plaintiff seeks some more time for filing death certificate of respondent no.4. Let the same be filed within two weeks.
7. Ld. Counsel for plaintiff has submitted that respondent no.4 namely Mr. Prem Sagar Khanna has passed away on 23.02.2022 and he has been survived by his widow and three sons, whose details are mentioned in para 3 of the captioned IA and they are the only legal heirs of deceased respondent no.4. He has further submitted that right to sue survives against LR's of the respondent no.4 and hence, their names may be brought on record as LR's of respondent no.4.
8. Heard. Record perused. The factum of death of the respondent no.4 has not been disputed by the parties. Right to sue survives against LR's of respondent no.4. In the present facts, all four legal heirs of respondent no.4 as detailed in para 3 of the captioned IA are impleaded as LR's of respondent no.4. The petitioner shall file amended memo of parties accordingly within four weeks.
9. The captioned IA stands disposed off accordingly.



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10. Vide order passed today, LRs of the respondent no.4 has been taken on record. Let amended memo of parties be filed within four weeks.
11. Perusal of record would show that matter has not been listed before the Hon'ble Court after 20.09.2022.
12. Let the matter be placed before Hon'ble Court for case management and further directions on **24th July, 2024.**

**DEVENDER KUMAR GARG (DHJS)
JOINT REGISTRAR (JUDICIAL)**

MAY 30, 2024/v

Click here to check corrigendum, if any