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

+ **CM(M) 2480/2025**

JAGDISH SHOKEEN

.....Petitioner

Through: Mr. Abhishek Sharma, Advocate
(through videoconferencing).

versus

RAJESH SHOKEEN & ORS.

.....Respondents

Through: None.

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

% **22.12.2025**

CM APPL. 80973/2025 (exemption)

1. Allowed, subject to all just exceptions.

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2. The petitioner/appellant has assailed order dated 01.09.2025 of the learned appellate court, whereby application of the petitioner/appellant under Order XXII Rule 4 CPC to substitute the deceased respondent no.2 with his legal representatives was dismissed.

3. Learned counsel for petitioner/appellant admits that there was some delay in filing the application under Order XXII Rule 4 CPC, but it is also explained that the petitioner/appellant was not aware about death of the respondent no.2. On this aspect, the learned appellate court took a view that the petitioner/appellant, being relative of the deceased respondent no.2, cannot be believed to have no knowledge about death of the said respondent.



4. Subject to petitioner taking steps within one week, notice through all modes be issued to the respondents, returnable on 02.04.2026 before Registrar.

GIRISH KATHPALIA, J

DECEMBER 22, 2025/dr