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

+ **CS(OS) 1628/2010 & I.A. 10540/2010, I.A. 7689/2014**

PRADEEP GODHWANI

..... Plaintiff

Through: Mr. Jagdev Singh & Mr. Sachin Saini,
Advocates with plaintiff in person.

versus

PARTHO ROY CHOWDHRY & ANOTHER

..... Defendants

Through: Mr. S.K. Bhaduri, Mr. Sumit Kumar
& Mr. Prem Prakash, Advocates for
D-2.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

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18.05.2022

1. Learned counsel for the defendant No. 2 submits that the defendant No. 1-Sh. Partho Roy Chowdhary has passed away on 28th January, 2022 and the death certificate was also provided to the plaintiff on the last date of hearing, despite which no application under Order XXII Rule 4 Civil Procedure Code, 1908 to bring the legal heirs of the defendant No. 1 on record has been filed. Learned counsel for the plaintiff seeks some time to move an appropriate application after ascertaining the legal heirs of defendant No. 1.

2. Learned counsel for the defendant No. 2 further submits that since defendant No. 1 was living separately, he is not aware of the legal heirs of the defendant No. 1.



3. List for arguments on 23rd August, 2022.

NEENA BANSAL KRISHNA, J

MAY 18, 2022

S.Sharma