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

+ RFA 853/2018, CM APPL. 43164/2018 (stay), CM APPL. 43165/2018 (delay), CM APPL. 17882/2019 (seeking to dispense with service of summons on certain respondents i.e. R-3, 13, 15 to 18---), CM APPL. 17883/2019 (stay), CM APPL. 32249/2022 (for LRs of R-32), CM APPL. 32250/2022 (delay in filing CM No.32249/2022), CM APPL. 32251/2022 (for LRs of Appellant No.1(b)] & CM APPL. 32252/2022 (delay in moving CM No. 32251/2022)

MANGAT RAM (DECEASED) THR LRS & ANR Appellant

Through: None

versus

DHAN SINGH & ORS

..... Respondent

Through: Mr. Davinder Verma, Advocate for
respondent Nos.1 and 2(a, b, c & e)
Mr. Lalit Bhardwaj, Mr. Jatin Bhardwaj
& Mr. Jatin Anand Dwivedi, Advocates
for respondent Nos.38, 40 & 50

CORAM: MS. KAUSHLYA VERMA, REGISTRAR

ORDER

% **17.03.2023**

CM APPL.37537/2022 (moved by appellant No.1(d) (u/O 22 Rule 3 CPC for bringing on record the LRs of deceased appellant No.2) & CM APPL.37538/2022 (delay)

CM APPL.37537/2022 has been filed for taking on record the proposed LRs of deceased appellant No.2, who are stated to be already arrayed as Appellant No.1(a) to 1(h) on the basis of a Release Deed dated 03.05.2001 executed by deceased appellant No.2 in favour of her brother namely Sh. Mangat Ram-appellant No.1, for a consideration of Rs.50,000/- releasing all her share, rights and interest

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whatsoever in property bearing Khasra No.169(4-19), situated in the area of village Naharpur, Delhi-85, the property which is stated to be the subject matter of the present appeal.

On 05.12.2022, notice was accepted on behalf of respondent Nos.1, 2(a to c & e), 38, 40 & 50.

Notice in terms of order dated 05.12.2022 could not be issued to the remaining unserved respondents for want of correct memo of parties.

Correct amended memo of parties has been filed by the appellants.

On appellants' taking fresh steps within one week, issue notice to the remaining non-applicants, by all permissible modes, returnable on 10.04.2023. In addition, notice be issued to the non-applicants through counsel as well, who were appearing for them before the learned Trial Court. It may be indicated in the notice that reply, if any, be filed before the next date.

CM APPL.37145/2022 (moved by appellant No. 1(d) u/O 22 Rule 4 CPC for bringing on record the LRs of deceased respondent No.38)

Respondent Nos.1, 2(a to c & e), 19 to 27, 30, 33, 38, 40 & 50 are being represented by their respective counsel.

Notice in terms of order dated 05.12.2022 could not be issued to the remaining non-applicants for want of correct memo of parties.

Correct amended memo of parties has been filed by the appellants.

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Learned counsel who was earlier appearing for respondent No.38 and whose appearance has been marked even on 14.12.2022 to clarify on the next date regarding the representation of proposed LRs of deceased respondent No.38.

On appellants' taking steps within one week issue notice of the applications to the remaining non-applicants, by all permissible modes, returnable on 10.04.2023. It may be indicated in the notice that reply, if any, be filed before the next date.

REGISTRAR

MARCH 17, 2023

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