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IN THE HIGH COURT OF DELHI AT NEW DELHI

+ RFA 1032/2018 and CM APPL. 54188/2018, 32500/2022,
32660/2022, 46062/2022, 14753/2023, 16509/2023 and
54521/2024

JAGDIP KAUR

.....Appellant

Through: Ms.Kanika Agnihotri, Mr.Amer
Vaid and Mr.Sachin Sharma,
Advocates

versus

BANK OF INDIA & ANR

.....Respondents

Through: Mr.Rajat Arora, Mr.Niraj Kumar,
Mr.Ravi Ranjan Mishra and
Mr.Sourabh Mahla, Advocates for
R-1 BOI

Ms.Shalini Bhardwaj, Mr.Aditya
Sharma, Mr.Vedic Thukral and
Ms.Vidhi Uppal, Advocates for-2
with respondent No.2 in person.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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22.11.2024

**CM APPL. 32660/2022 (application seeking impleadment of legal heir
of the deceased appellant), CM APPL. 46062/2022 (application seeking
condonation of delay in filing CM APPL 32600/2022) and CM APPL
54521/2024 (application seeking setting aside the abatement)**

1. These applications concern setting aside of the abatement, if
necessary, condonation of delay and substitution of the legal heirs of the
original appellant.



2. Ms. Kanika Agnihotri, learned counsel for the applicant, states that the original appellant Smt. Jagdip Kaur (since deceased) was survived by two sons, the applicant herein (Mr. Madanjit Singh Oberoi) and respondent No. 2 (Mr. Manbir Singh Oberoi). Her husband had predeceased her, as had her third son by the name of Dr. Tejbir Singh Oberoi.

3. Although the applicant claims that he is entitled to be impleaded as the sole legal representative under an alleged Will and Trust Deed executed by Smt. Jagdip Kaur, I am of the view that notice of these applications should be served on the legal heirs of late Dr. Tejbir Singh Oberoi. The names of these legal heirs have been specified in paragraph 12 of CM APPL No. 32660/2023, as Ms. Deepali Kaur Mccloe and Ms. Kanchan Kaur.

4. Notice may be served on these two legal heirs, through all permissible modes as well as through learned counsel who appear on their behalf in other proceedings, before this Court. Affidavit of compliance be filed within one week.

5. List on 19.12.2024.

PRATEEK JALAN, J

NOVEMBER 22, 2024
'SV/Kb'/