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

+ **RC.REV. 506/2012**

TEJENDER SINGH

..... Petitioner

Through: Mr. Arjun Singh Bhati, Adv.

versus

USHA RANI & ANR

..... Respondent

Through: Mr. Virendra Kumar Singh, Adv. for
LRs of R-1, Ms. Anita

Mr. L. C. Rajput, Adv. for R-2 with R-2
in person

CORAM:

SH. VIRENDER BHATT (DHJS), JOINT REGISTRAR (JUDICIAL)

ORDER

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20.04.2017

C.M. No. 18485/2014

This application has been filed by the petitioner u/O 22 R 4 CPC seeking impleadment of LRs of deceased respondent no.1.

It is stated that the respondent no.1 has left behind his three sons namely Mahender Kumar (who is already respondent no.2 in the petition), Mr. Om Prakash and Mr. Ajay Kumar as well as two daughters namely Smt. Kavita and Smt. Anita as his legal representatives.

Smt. Kavita and Smt. Anita are present in person. Ld. counsel Sh. Virender Kumar Singh, Adv. submits that he had earlier filed vakalatnama on behalf of both the LRs namely Smt. Kavita and Smt. Anita but now he will be representing only Smt. Anita. He thus seeks discharge of vakalatnama for Smt. Kavita. Same is hereby ordered.

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Smt. Kavita seeks time for engaging a lawyer for filing reply to the main petition. Be filed within four weeks from today. She further submits that she has no objection to the application u/O 22 R 4 CPC and her impleadment in the petition as LR of deceased respondent no.1.

There is no appearance on behalf of LRs Mr. Omprakash and Mr. Ajay Kumar. No reply has also been filed by them to the instant application.

Reply has been filed to the instant application on behalf of respondent no.2, Sh. Mahender Kumar who is also one of the LRs of deceased respondent no.1. It has been mentioned in the reply that the respondent no.1 Smt. Usha has left behind the Will dated 27.09.2002 whereby she has bequeathed her right in the suit property in favour of Master Harsh Gupta who is the son of respondent no.2. However today the ld. counsel Sh. L. C. Rajput, counsel for respondent no. 2 submits that the mention of aforesaid Will has been made in the reply due to some inadvertent mistake and infact the said Will does not relate to the suit property. He seeks permission to withdraw the reply. Permission is granted. The reply filed by the respondent no.2 to the instant application is hereby treated as withdrawn.

Fresh reply, if any, be filed within two weeks from today positively.

Be listed for disposal of the instant application bearing C.M. No. 18485/2014 on 30.08.2017.

VIRENDER BHATT (DHJS)
JOINT REGISTRAR (JUDICIAL)

APRIL 20, 2017/NR

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