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Hybrid Mode

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

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

TEJENDER SINGH

..... Petitioner

Through

Mr Mayanka Dhawan, Adv.

Mob. 9818807988

versus

USHA RANI & ANR

..... Respondents

Through None

CORAM:

JOINT REGISTRAR (JUDICIAL) MS. SAVITRI (DHJS)

ORDER

% **01.04.2022**

In wake of submissions made by the learned counsel for the petitioner and a thorough perusal of entire case file, the following three applications are being dealt with conjointly.

CM No. 7212/2018 (U/O 22 Rule 4 CPC) for LR's of deceased R-1 (a), CM No.18830/2018 (seeking condonation of delay)

1. Learned counsel for the petitioner submits that R-1(a) Om Prakash expired way back on 10.06.2017 and CM APPL 7212/2018 seeking substitution of his LR's on record was filed and listed before the Court on 23.02.2018 but mistakenly, on 09.04.2021, learned counsel for petitioner, who had appeared before the court on the said date, submitted that since one of the LR's of R-1 Smt. Usha Rani, namely Sh. Om Prakash, has also expired, he shall be filing an application in this regard.
2. Amended memo of parties has also been filed along with the impleadment application, notice of both the above mentioned applications is required to be issued to the proposed LR's.



CM APPL. 16325/2022 (Under Section V Rule 20 CPC)

3. By way of the present application, LR's of deceased R1 (a) Om Prakash are sought to be served through publication. It is submitted that despite repeated efforts these respondents could not be served at their last known addresses available with the petitioner and processes sent to them on earlier occasions were received back unserved with the reports 'address not exist'. This fact is so recorded in order dated 27.08.2018.
4. I am satisfied that LR's of deceased R1 (a) Om Prakash cannot be served through ordinary process. The application is accordingly allowed.
5. On filing of PF, let notice of all the present proceedings and above mentioned applications be sent to the proposed LR's of deceased R-1(a) Om Prakash via publication. Registry shall prepare the process and email/ whatsapp the same to learned counsel for the petitioner who shall thereafter take necessary steps for publication to be effected in English newspaper 'Statesmen' and Hindi newspaper 'Dainik Jagran' having circulation in Gurgram, Haryana. Steps be taken within a week from now.
6. Proof of publication be filed before next date of hearing.

**SAVITRI
JOINT REGISTRAR
(JUDICIAL)**

APRIL 01, 2022/sm