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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **RC.REV. 506/2012 & CM APPL.17482/2012 (stay)**

TEJENDER SINGH

..... Petitioner

Through: Ms Kirti Mewar, Adv.
versus

USHA RANI & ANR

..... Respondents

Through: Mr Raghu Vashishth, Adv. for Ms
Kavita.
Mr L.C. Rajput, Adv. for Sh.
Mahender.

CORAM:
HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER
08.02.2024

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[Physical Hearing/Hybrid Hearing (as per request)]

**CM APPL.18830/2018 (for condonation of delay of 80 days in filing) &
CM APPL. 7212/2018 (under Order XXII Rule 4 CPC)**

1. Originally, there were two respondents to this revision petition, namely Smt. Usha and Sh. Mahender. Smt. Usha passed away and was substituted by her legal representatives namely Sh. Om Prakash, Ms Kavita, Sh. Ajay and Ms Anita. Amended memo of parties taken on record is at pdf page 28 of pleadings Volume II. Thereafter, Sh. Om Prakash also passed away, so present applications have been filed.
2. Notice on the LRs of Sh. Om Prakash stands served by way of publication vide order dated 26.08.2022. But nobody appears on their behalf.



3. Learned counsel for Sh. Mahender and learned counsel for Ms Kavita submit that they have no objection to these applications. On behalf of Sh. Ajay and Ms Anita none has been appearing. That being so, these applications are unopposed.
4. Sh. Om Prakash is stated to have passed away on 10.06.2017. The delay in filing the application under Order XXII Rule 4 CPC is explained by the petitioner on the ground that the time was largely spent for finding out LR's left behind by Sh. Om Prakash, followed by ill health of petitioner.
5. But it is noticed that till date, death certificate of Sh. Om Prakash or any other document is not on record to show that he has passed away. Even counsel for respondent no.2 Sh. Mahender expresses inability to confirm death of Sh. Om Prakash, who was brother of Sh. Mahender.
6. Under these circumstances, matter has to be adjourned. Petitioner is directed to place on record death certificate of Sh. Om Prakash within four weeks.
7. List the applications for disposal on 16.07.2024.

GIRISH KATHPALIA, J

FEBRUARY 8, 2024/R.Y

[Click here to check corrigendum, if any](#)