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

+ **CS(OS) 296/2016 & O.A.s No.11/2018 & 19.2018**

ASHOK BAURY Plaintiff

Through: **Mr. Aman Shanker, Advocate**

versus

MR RAJ BAURY & ORS Defendants

Through: **Mr. Pragyan Sharma & Mr.
Atul Gupta, Advocates for
defendant No.7**

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

03.08.2022

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1. There is a request for an adjournment on behalf of learned counsel for plaintiff on the ground that he is not available today.
2. Learned counsel appearing for defendant No.7 has brought the attention of this Court to the Order dated 03.07.2019 in F.A.O.(OS) 16/2018 titled as 'Arun Sood Vs. Ashok Baury & Ors.'. By way of the said appeal, Hon'ble Division Bench of this Court was of the clear view that the Chamber Appeals against the impleadment of defendant No.7 need to be heard first and therefore, the present suit could not have been allowed to be withdrawn by the plaintiff. Thus, the aforesaid appeal was allowed by the Hon'ble Division Bench and the Chamber Appeals viz. O.A.11/2018 and O.A. 19/2018, filed against order dated 03.01.2018 passed by the Joint Registrar, are required to be heard by this Court in the present proceedings.



3. Learned counsel appearing for defendant No.7 has also taken me through the Order dated 21.01.2018 passed by this Court, wherein prima-facie view has been expressed by this Court with respect to the fact that defendant No.7, in the absence of Will, would be a class-I heir of Bhagwati Devi.

4. In view of the request made on behalf of plaintiff, list for hearing of O.A. 11/2018 and O.A. 19/2018 on 23.08.2022.

MINI PUSHKARNA, J

AUGUST 3, 2022

MR