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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(OS) 3033/2014**
SHEO CHAND AND OTHERS Plaintiff

Through: Mr. Satish Kr. Verma Advocate

versus

AJIT SINGH Defendant
Through: Mr. Nitin Singh proxy counsel for
LRs 4 & 8 to 11

CORAM:
SH. PANKAJ GUPTA (DHJS), JOINT REGISTRAR
(JUDICIAL)

ORDER

% **15.05.2017**

IA No. 8029/2016 (under Order 22 Rule4 CPC by plaintiff)

Learned counsel for the plaintiff submits that in view of the orders dated 06.10.2016 and 25.11.2016, the legal heirs 1 to 3 and 5 to 7 of the deceased defendant were deemed to be served and the objection raised by learned counsel for the remaining LRs of the deceased defendant as to the manipulation of the process server's report was held unsustainable by the learned predecessor of this court and to the best of his knowledge, the served legal heirs have not taken any steps to challenge the same as on date. In view thereof, he submits that the legal heirs 1 to 3 and 5 to 7 stands served and have



not filed the reply till date.

On perusal of the record and in view of the above mentioned submissions, I am of the opinion that the legal heirs 1 to 3 and 5 to 7 of the deceased defendant are not interested in contesting the application. Learned counsel for the plaintiff submits that the arguments will be heard on this application. However, proxy counsel for the defendant submits that he has no instructions to address the arguments on the application and seeks an adjournment. In the given circumstances, one more opportunity is granted to the LRS of the deceased defendant to address the arguments.

Relist for arguments on 14.07.2017.

SH. PANKAJ GUPTA (DHJS)
JOINT REGISTRAR (JUDICIAL)

MAY 15, 2017
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