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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ O.M.P. 1413/2014; I.A. 8288/2018 & I.A. 11517/2018
V K NAYAR

.....Petitioner

Through: Mr. Mrityunjay Kumar & Mr.
Rahul Gupta, Advs. for P-1(A)
& (C) (Mobile No.9811639365).

Mr. Mohit Paul, Mr.Rishab
Aggaral & Mr. Japnish Bhatia,
Advocate for P-1(B) (email:
mohitpaul24@gmail.com)

versus

G P NAYAR & ANR

.....Respondent

Through: Mr. Vishal Verma & Mr. Vibhu
Kr. Singhal, Advs. for R-1(A).

Mr. Gaurav Dhingra & Mr. M C
Dhingra, Advs. for R-1(B)
(appeared through VC).

None for R-1(C) & 1(D).
Mr. Jaisal Baath, Adv. for Ex-
Director of R-2.

CORAM:
**JOINT REGISTRAR (JUDICIAL) SH. MANISH
SHARMA, (DHJS)**

ORDER
17.03.2023

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**I.A. No.15603/2022 (u/O XXII Rule 3 CPC for bringing
LRs of petitioner on record, moved on behalf of LRs of
petitioner)**

1. Learned counsels for LRs of respondent no.1 submit
that they have no objection, if the captioned IA is
allowed and LRs of petitioner are brought on record.
2. Arguments heard. Record perused.



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3. It is averred in the captioned IA that the petitioner passed away on 30/06/2022 and the present application has been filed on 17/09/2022. Death certificate of the petitioner has been filed. The petitioner has left behind the following legal heirs
 - (i) Smt. Vibha Nayar – wife
 - (ii) Smt. Jagriti Tandon – daughter
 - (iii) Sh. Subrat Naya – son
4. The right to sue survives in favour of legal representatives of the petitioner. The application has been filed within the period of limitation.
5. In view of above and also In view of the no objection furnished by the opposite side, the captioned IA is allowed and legal representatives of the petitioner are taken on record. Amended memo of parties filed along with the captioned IA is taken on record.

I.A. No.17435/2022 (u/O XXII Rules 4 & 9 r/w Section. 151 CPC and 5 of Limitation Act to set-aside abatement of proceedings against respondent no.1 and bring on record LRs of respondent no.1, moved by the petitioner);

I.A. No.17436/2022 (u/O 5 of Limitation Act r/w Section 151 CPC for condonation of delay in filing IA No.17435/ 2022, moved by the petitioner)

1. As per office note, reply to IA No.17435/23 dated 23/02/2023 filed by respondent no.1 is lying under objection. Learned counsel for respondent no.1 (B) is requested to check it up with the Registry and have the same placed on record.
2. Learned counsel for the LRs of petitioner seeks time to file rejoinder to the reply filed by respondent no.1(A).



3. No reply to the captioned IAs was filed on behalf of the respondent no.1(B), 1(C) and 1(D).
4. Learned counsel for LR of petitioner submits that LR of the respondent no.1 were directed to furnish details of partners of respondent no.2 firm including their email IDs and phone/WhatsApp number however the same has not been furnished till date. Let the previous order be complied with.
5. Learned counsels for the parties submit that the captioned IAs may be placed before the Hon'ble Court on the date already fixed and they will make appropriate submissions before the Hon'ble Court.
6. List the matter before the Hon'ble Court for further directions on the date already fixed i.e. **24th March, 2023.**

MANISH SHARMA, (DHJS)
JOINT REGISTRAR (JUDICIAL)
MARCH 17, 2023/nk
[Click here to check corrigendum, if any](#)