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IN THE HIGH COURT OF DELHI AT NEW DELHI

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TEST CAS. 77/2016

SHYAM SUNDER AMLADI & ANR.

..... Petitioner

Through

Ms. Harsheen Madan Palli, Adv.

Versus

STATE (GOVERNMENT OF NATIONAL CAPITAL TERRITORY
OF DELHI)

..... Respondent

Through

Ms. Aditi Sharma, Adv. for R-2(i) &
(ii)

CORAM:

SHARAD GUPTA (DHJS), JOINT REGISTRAR (JUDICIAL)

ORDER

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29.01.2021

The matter has been taken up through video conferencing in terms of directions vide Circular no.465/RG/DHC/2020 dated 30.09.2020, Circular no.500/RG/DHC/2020 dated 08.10.2020 and Circular No.7974/I/ORG/DHC/2020 dated 28.11.2020.

IA No.985/2021 for condonation of delay in filing of reply by R-2(i) & 2(ii)

The captioned IA has already been disposed of vide order dated 21.01.2021. Accordingly, registry is directed not to show the captioned IA in the cause list.

IA No.18383/2019 u/O XXII R 4 CPC for bringing on record the LRs of deceased respondent no.2 Mr. R. R. Savoor and IA No.18384/2019 for condonation of delay in filing of IA No.18383/2019; both IAs moved by petitioner

Reply to IA No.18383/2019 has been filed by LRs of respondent no.2 stating that they have no objection to the captioned IA. Today it is stated by learned counsel for proposed LRs that proposed LRs have also no objection if delay occasioned in bringing

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on record said LRs is condoned.

It has already come on record that Sh. R. R. Savoor expired on 17.02.2019. Copy of death certificate is on record. The proposed LRs have already given their no objection to being brought on record as recorded above.

As regards the question of delay, the captioned IA was moved on 19.12.2019, beyond the stipulated period. In this context, it is jointly pointed out by the parties that respondent no.2 had already given his no objection to the captioned probate and as such no prejudice would be caused to any party, in case the delay occasioned in filing of appropriate IA for bringing on record LRs of Late Sh. R. R. Savoor is condoned. It is submitted in IA no. 18384/2019 that due to oversight, the captioned IA for bringing on record LRs of late Sh. R.R. Savoor could not be filed in time. It is urged by learned counsel for petitioner that in any case the LRs of respondent no.2 have already given their no objection to the IA for condonation of delay.

In view of above, the above report under Rule 3(37), Chapter II of Delhi High Court (Original Side) Rules 2018 is being prepared for kind perusal of the Hon'ble Court.

In view of restricted functioning of the Hon'ble Court and at

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request, the parties are at liberty to take appropriate steps for listing of the matter before the Hon'ble Court.

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Learned counsel for the petitioner submits that similar IA for bringing on record the LRs of deceased respondent no.5 has been moved in the meantime vide diary no.1196779/2020 dated 15.12.2020. However, the same is not on record. learned counsel undertake to checkup the same with the registry and get the same placed on record after removing the objections, if any. Learned counsel is at liberty to proceed as per law.

Re-notify the matter for further proceedings on 24.03.2021.

SHARAD GUPTA (DHJS)
JOINT REGISTRAR (JUDICIAL)

JANUARY 29, 2021/ab