



\$~8

*

IN THE HIGH COURT OF DELHI AT NEW DELHI

+

TEST.CAS. 77/2016

SHYAM SUNDER AMLADI & ANR

..... Petitioners

Through: Mr. Vedant Kapur, Adv.

versus

STATE (GOVERNMENT OF NATIONAL CAPITAL TERRITORY
OF DELHI)

..... Respondent

Through: Ms. Aditi Sharma & Mr. Neeraj
Yadav, Advs. for R-2(i) & (ii)

CORAM:

**JOINT REGISTRAR (JUDICIAL) MS. PRIYA MAHENDRA,
(DHJS)**

ORDER

%

16.09.2022

**IA No.18383/2019 u/O XXII R 4 CPC for bringing on record the
LRs of deceased respondent no.2 Mr. R. R. Savoorand; and IA
No.18384/2019 for condonation of delay in filing of IA
No.18383/2019; both IAs moved by petitioner and Test Case
77/2016**

Report under Rule 3(37), Chapter II of Delhi High Court
(Original Side) Rules 2018 has already been prepared Vide Order
dated 29.01.2021 for kind perusal of the Hon'ble Court. In the
meantime, IA No.9343/2021 & IA No.9344/2021 have been filed.

Re-notify on next date.

**IA No.9343/2021 u/O XXII R 4 CPC & IA No.9344/2021 for
condonation of delay both IAs qua respondent no.5**

On 28.04.2022, learned counsel for proposed LR no.4, who was
also respondent no.8 in the present matter, submitted that he had no
objection qua the captioned IA.

Right of LR no.(i)&(iii) to file reply to captioned IA already
closed.

As per record, notice sent to LR no.(ii) at Mumbai address



through ordinary process is awaited. Learned counsel for petitioner has filed Affidavit of Service alongwith Dispatch Receipt and Tracking Reports for service of LR no.(ii) through Speed Post and Email. Same are perused. As per the tracking report, post has been delivered to Kandiwali East SO, Mumbai and not to the addressee. So, this report does not reflect that the LR no.(ii) has been served through speed post. As to the service through email to LR no.(ii), learned counsel for petitioner in his Affidavit of Service has not furnished the source of Email of LR no.(ii) and not affirmed that it is correct Email of LR no.(ii). So, in these circumstances, I am not satisfied about service of LR no.(ii) of deceased defendant no.5.

In view of above and at request, fresh notice be sent to LR no.(ii) through all permissible modes including electronic mode, on taking of steps by the petitioner, returnable for the next date of hearing.

Re-notify for completion of service of LR no.(ii) of defendant no.5/further proceedings on 11.11.2022.

PRIYA MAHENDRA (DHJS)
JOINT REGISTRAR (JUDICIAL)
SEPTEMBER 16, 2022/ab
[Click here to check corrigendum, if any](#)