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

+ **LA.APP. 272/2015**

UNION OF INDIA

.....Appellant

Through: Mr. Sanjay Kumar Pathak, Standing
Counsel with Mr. Sunil Kumar Jha
and Mr. M.S. Akhtar, Advocates

versus

SHISH RAM & ANR

.....Respondents

Through: Mr. Anuj Chaturvedi and
Ms. Harshita Maheshwari, Advocates
for DDA

CORAM:

HON'BLE DR. JUSTICE SUDHIR KUMAR JAIN

ORDER

% **22.08.2024**

CM APPL. 38567/2024 (by appellant for waiver of cost)

1. This application is filed by the appellant for waiver of cost.
2. Mr. Sanjay Kumar Pathak, Standing Counsel appearing on behalf of the appellant prayed for waiver of cost imposed vide orders dated 20.09.2016, 22.07.2022 and 11.03.2024 total amounting to Rs.36,000/-.
3. The Standing Counsel for the appellant stated that the respondent no.1 is stated to have died in the year 2010 and the said fact was not placed before the reference court. It is further stated that the steps for effecting the service upon the respondent no. 1 could not be taken due to the reasons beyond his control.
4. After considering all facts, the cost of Rs.36,000/- imposed vide orders dated 20.09.2016, 22.07.2022 and 11.03.2024 stands waived.



5. The application stands disposed of.

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6. Mr. Sanjay Kumar Pathak, Standing Counsel for the appellant stated that an application has already been filed for substitution of LR's of the deceased respondent no. 1 and the said application is stated to be lying under objection.

7. The Standing Counsel for the appellant undertakes to pursue with the Registry for correction of the objection so that the application be placed on record. Thereafter, notice on the application be issued to the proposed LR's of the deceased respondent no. 1 on taking necessary steps by the appellant within 04 weeks through all permissible modes.

8. List on 18.12.2024 before the Registrar for completion of service.

DR. SUDHIR KUMAR JAIN, J

AUGUST 22, 2024

N/AM