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

+ RFA 597/2017

JAGDISH RAI

..... Appellant

Through: Mr. Anuj Jain, Advocate

versus

RAM KRISHAN & ORS

..... Respondents

Through: Mr. Vikas Nagpal, Advocate for

LR No.(ii)-Vikas Mittal of R-1

Mr. Mukesh Anand Advocate

for R-2 & 3 (through vc)

CORAM: MS. KAUSHLYA VERMA, REGISTRAR

ORDER

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20.05.2024

CM APPL. 31263/2021 (delay of 47 days in filing CM APPL. 31262/2021).

1. In view of judgment/directions passed by the Hon'ble Supreme Court in Suo Motu W.P.(C) No.3/2020 whereby limitation period w.e.f. 15.02.2020 to 28.02.2022 was excluded for the purpose of quashi-judicial and judicial proceedings, the present application is infructuous and is disposed of as such.

CM APPL. 31262/2021(u/O 22 Rule 4 CPC for bringing on record the LRs of deceased respondent No.1) &

2. Learned counsel for respondent Nos.2 and 3 made a statement on 26.04.2022 that he has no objection to the present application being allowed.
3. The other non-applicants have not filed reply despite last opportunity having been granted on 15.12.2023.
4. It appears that they have nothing to say in opposition to the present application.



5. Consequently, in view of facts narrated above in para 3 and 4, and for the reasons stated in the application, the present application is allowed and the LR of deceased respondent No.1, as mentioned in para 4 of the application comprising wife, two sons and two daughters, are brought on record.
6. Amended memo of parties filed at page No.698-702 alongwith the application is taken on record.

CM APPL.14967/2024 (u/O 22 Rule 2 CPC moved by the appellant for recording the factum of death of Late Smt. Kanta Kumari-R-4)

7. In para 5 of the present application, it is stated that LR of respondent No.4 were already parties in the present appeal.
8. However, perusal of the memo of parties or even amended memo of parties does not reveal the names of all the LR of deceased respondent No.4.
9. In the circumstances, re-notify the present application for clarification, on 03.07.2024.

REGISTRAR

MAY 20, 2024

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