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

+ RFA 597/2017, CM APPL. 35091/2018, CM APPL. 49952/2019,
CM APPL. 7658/2020 & CM APPL. 16339/2020

JAGDISH RAI

.....Appellant

Through: Ms. Chandrani Prasad, Mr. Anuj
Jain and Mr. Manish Chaubey,
Advocates alongwith Mr. Vikas
Mittal, Appellant's son.

versus

RAM KRISHAN & ORS

.....Respondents

Through: Ms. Rachita Garg, Mr. Agam
Rajput and Ms. Preeti, Advocates
for GNCTD.

Mr. Mukesh Anand, Advocate for
R-2 & 3.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **26.09.2024**

1. The legal heirs of original respondent No. 1 – Sh. Ram Krishan are unrepresented.
2. I am informed that the appellant and legal heirs of the original respondent No. 2 – Sh. Om Prakash are willing to settle the matter amongst themselves. However, Mr. Vikas Mittal - respondent No. 1(A), one of the legal heirs of Sh. Ram Krishan, is not agreeable to a settlement, he has also not been represented on the last few dates of hearing.
3. Court notice was issued to the legal heirs of respondent No. 1 on



04.07.2024, but Mr. Vikas Mittal - respondent No. 1(A) has still not entered appearance. The earlier orders dated 13.03.2024 and 20.05.2024 record the presence of Mr. Vikas Nagpal, learned Advocate on his behalf. Court notice is issued to Mr. Vikas Nagpal, who is directed to contact legal heirs of original respondent No. 1, and assist the Court on the next date of hearing.

4. In the meanwhile, it appears from the memo of parties that respondent No. 1 – Sh. Deepak Mittal, who was the son of Sh. Ram Krishan, has passed away, but his legal heirs have not been impleaded. As the appeal arises out of a decree in a partition suit, it is necessary to implead them also.

5. Mr. Vikas Mittal-respondent No. 1(A) is also directed to supply the names and addresses of the legal heirs of Sh. Deepak Mittal to Ms. Chandrani Prasad, learned counsel for the appellant, so that she can take necessary steps.

6. List on 10.01.2025.

7. It is made clear that if the legal heirs of respondent No. 1 continue to remain unrepresented despite service, the Court will proceed in their absence.

8. The Registry is also directed to forward a copy of this order to Mr. Vikas Nagpal, Advocate [Mob. No. 9810542514]. Learned counsel for the parties are also requested to inform him of this order.

PRATEEK JALAN, J

SEPTEMBER 26, 2024/MR/