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

+ **FAO 15/2017**

**KAMAL JASWAL & ORS** ..... Appellants

Through: Mr.S.C. Singhal, Advocate.

versus

**STATE & ORS** ..... Respondents

Through: None.

**CORAM:**

**HON'BLE MR. JUSTICE VINOD GOEL**

**ORDER**

% **22.01.2019**

**CM No.5892/2018 (for delay in filing the substitution application)**

1. There is a delay of 101 days' in filing the application, being CM No.38162/2017. For the justifiable reasons explained in the application, the delay in filing the application under Order XXII Rule 4 CPC for impleadment of the LRs is hereby condoned. The application is disposed of.

**CM No. 38162/2017 (under Order XXII Rule 4 CPC)**

2. Despite service of notice, there is no appearance on behalf of the LRs of the respondent no.3, who expired on 29.03.2017.

3. The appellant seeks impleadment of Sunita Malhotra (widow of respondent no.3), Aseen Malhotra, Varun Malhotra and Aditya Malhotra (all sons of respondent no.3) as LRs of respondent no.3. The death certificate of Anil Malhotra is on the record.

4. In the circumstances, the application is allowed. The legal heirs of respondent no.3 are allowed to be substituted for him. Amended memo of

parties filed along with the application is taken on the record.

**FAO 15/2017 & CM No.901/2017**

5. On taking steps, notice of the appeal be issued to the respondent no.1 by all permissible modes.
6. List on 02.08.2019.

**JANUARY 22, 2019**  
*"shailendra"*

**VINOD GOEL, J.**