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IN THE HIGH COURT OF DELHI AT NEW DELHI

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RFA 57/2017

KRISHAN LAL

.....Appellant

Through: Mr. J.P. Singh, Advocate
(through vc)

versus

GULSHAN RAI & ORS

.....Respondent

Through: Mr. Pushkin Chaudhary, Advocate
for R-1 (through vc) (9810823566)
Mr. Kartik Jindal & Mr. Dinesh Sharma
Advocates for R-4/DDA

CORAM: MS. PANNA DUTTA, REGISTRAR

ORDER

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07.02.2025

CM APPL.64604/2023 (delay of 827 days)

1. This is an application under Section 5 of the Limitation Act seeking condonation of delay of 827 days in moving the application under Order 22 Rule 3 CPC.
2. Learned counsel for DDA submits that he has no objection if the present application is allowed.
3. Perusal of reply filed on behalf of respondent No.1- Gulshan Rai Manchanda, shows that only objection to the present application has been taken on the ground that appellant No.2- Sh. Amrit Lal Manchanda has also expired during the Covid time but no application has been moved for substitution of LRs of deceased appellant No.2 so far.
4. Learned counsel for the applicants submits that earlier he had filed application (signed by the proposed LRs of deceased



appellant No.1) for bringing on record the LRs of deceased appellant No.2-Sh. Amrit Lal Manchanda (who expired on 08.09.22) on record but the said application was put under objection by the Registry with the reason that there is no locus of LRs of deceased appellant No.1 as they are yet to be impleaded.

5. Accordingly, in view of above and for the reason stated in the application, the delay of 827 days is condoned in filing the application under Order 22 Rule 3 CPC.
6. Application stands disposed of.

CM APPL.64603/2023 (u/O 22 Rule 3 CPC moved by LRs of appellant No.1 for their substitution)

7. This is an application under Order 22 Rule 3 CPC moved by LRs of deceased appellant No.1-Sh. Vimal Kumar Manchanda, who is stated to have expired on 15.05.2021 and the application was filed on 11.12.2023.
8. Learned counsel for DDA submits that he has no objection if the present application is allowed.
9. In view of delay having been condoned above, the LRs of deceased appellant No.1- Sh. Vimal Kumar Manchanda, as mentioned in para 2 of the application, are brought on record. The details of LRs of deceased appellant No.1- Sh. Vimal Kumar Manchanda are as under:-

- 1(1). Sh. Gaurav Manchanda (son)**
- 1(2). Smt. Jyoti Manchanda (wife)**
- 1(3). Ms. Diksha Manchanda (daughter)**



10. Amended memo of parties filed along with the application is taken on record.

11. Application stands disposed of.

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12. Let necessary steps be taken by the learned counsel for the appellants within four weeks to bring on record the LRs of deceased appellant No.2-Sh. Amrit Lal Manchanda.

13. List the matter before the Hon'ble Court on 10.02.2025, the date already fixed.

REGISTRAR

FEBRUARY 7, 2025

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