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

+ CS(OS) 13/2018

KRISHNA NAGPAL AND ORS

..... Plaintiff

Through: Mr. Rajender Agarwal, Adv. For
P-2 & P-4a & 4B (Mobile
No.9810651681)
Mr. Vivek Vidyarthi, Mr.
Suvigya Vidyarthi, Mr. Sarvagya
Vidyarthi, Mr. Nischay
Chaudhary & Mr. Apoorva
Singh, Advs. for P-3 & 5
(appeared through VC)

versus

SANJAY NAGPAL AND ORS

..... Defendant

Through: Mr. Pramod Dayal, Mr. Nikunj
Dayal & Mr. Rakesh Kumar,
Adv. for D-1 (Mobile
No.9810140004)
Suit stands abated qua D-3 & 7
vide order dated 23/08/2022
Mr. Sanyat Lodha, Adv. for D-8
& 9

**CORAM:
JOINT REGISTRAR (JUDICIAL) SH. MANISH
SHARMA, (DHJS)**

ORDER
16.10.2025

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I.A. No. 5294/2023(Application on behalf of plaintiff nos.3 and 5 under Order XXII Rule 9 read with Order XXII Rule 2 and Order XXII Rule 4 CPC, 1908 r/w Section 151 CPC for setting aside abatement qua defendant nos. 3 and 7 and for impleadment of legal heirs of defendant no.3 (Rakesh Nagpal) and for causing an entry of the demise of the defendant no.7, i.e., Sh. Ravi Narang to be made on the records of the



case in terms of Order XXII Rule 2 CPC and proceed with the adjudication of the above titled suit) &

I.A. No. 5295/2023(Application on behalf of the plaintiff nos. 3 and 5 under Section 5 of the Limitation Act, 1963 for condonation of delay in filing the application Order XXII Rule 9 read with Order XXII Rule 2 and Order XXII Rule 4 CPC, 1908 r/w Section 151 CPC)

1. Reply to the captioned IAs has been filed on behalf of defendant no.1 as well as by defendant nos.8 & 9.
2. Reply to the captioned IAs have also been filed on behalf of the defendant no.1.
3. No rejoinder has been filed.

CS(OS) 13/2018 & I.A.No.629/2018 (under Order XXXIX Rule 1 & 2 CPC)

4. As per office note, service report of the summons issued to the defendant no.6 received back unserved with the report 'sold the house and left the address'.
5. Service report of the summons issued to the defendant no.6 through ordinary mode is awaited.
6. Defendant no.6 has been served through Whatsapp.
7. Affidavit of service has been filed on behalf of plaintiff no.3 & 6.
8. Learned counsel for the plaintiff submits that he will take steps for service of defendant no.4 through Whatsapp.
9. Issue summons of the suit and notice of the captioned IA to the defendant no.4 through Whatsapp & E-mail, returnable on **20th November, 2025.**

**MANISH SHARMA, (DHJS)
JOINT REGISTRAR (JUDICIAL)**

OCTOBER 16, 2025/nk