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IN THE HIGH COURT OF DELHI AT NEW DELHI

CS(OS) 3410/2015

SH PREMNATH BAJAJ & ANOTHER Plaintiff

Through: Mr. Sunil Kalra, Adv.

versus

SMT RAJ RANI BAJAJ & OTHERS Defendant

Through: None for D-1 & 2

Right of D-3 to file WS closed
vide order dated 13/04/2018

Mr. Kunal, Mr. Pranav Malhotra
& Ms. Shreaddha Chikaria,
Adv. for D-5/MCD

CORAM:

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

ORDER

28.02.2023

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**I.A.No.24780/2015 (under Order XXXIX Rule 1 & 2
CPC)**

1. Reply to the captioned IA has already been filed by the defendant no.1, 2 & 4.
2. Rejoinder to the reply of defendant no.1 & 2 has been filed by the plaintiff.

**I.A.No.12847/20116 (under Order VII Rule 11 CPC
filed by the defendant no.1 & 2)**

3. Pleadings are complete.

**IA No.4861/2022 (Application filed on behalf of
proposed LRs of deceased plaintiff no -2 u/o XXII Rule
3 read with 151 CPC for impleading legal heirs of
deceased plaintiff no -2 as LRs on record)**

**IA No.4863/2022 (Application filed on behalf of
proposed LRs of deceased plaintiff no -2 u/o XXII Rule
9 read with Section 151 CPC for setting aside of
abatement of present suit)**



IA No.4865/2022 (Application filed on behalf of proposed LRs of deceased plaintiff no-2 under Section 5 of the Limitation Act r/w 151 CPC, for condonation of delay of 527 days for filing the application under Order XXII Rule 9 CPC) &

IA No.4867/2022 (Application filed on behalf of purposed LRs of deceased Plaintiff No.-2 under Section 5 of the Limitation Act r/w Section 151 CPC, for condonation of delay of 557 days for filling the application under Order XXII Rule 3 CPC)

4. As per office note, vakalatnama and documents have been e-filed.
5. There is no appearance on behalf of defendant no.1 & 2.
6. Reply to the captioned IAs has not been filed.

I.A.No.672/2023 (under Order XXII Rule 3 CPC filed on behalf proposed LRs of deceased (Mr. Sunny Bajaj) one of legal heirs of deceased plaintiff no.2)

7. As per office note, PF not filed.

I.A.No.4023/2023 (under Order XXII Rule 9 CPC filed on behalf proposed LRs of deceased plaintiff no.2 for setting aside of abatement of present suit)

8. Learned counsel for plaintiff submits that he has filed another application under Order 22 Rule 9 CPC, however, the same is lying under objection. Learned counsel for plaintiff is requested to check with the Registry and have the same placed on record.
9. Re-notify the matter for further proceedings on 14th March, 2023.

**MANISH SHARMA, (DHJS)
JOINT REGISTRAR (JUDICIAL)
FEBRUARY 28, 2023/nk**

[Click here to check corrigendum, if any](#)