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

+ **CS(OS) 722/2022**

RAJINDER MAGGU

.....Plaintiff

Through: Mr. Vishal Maan, Adv. (Mob. No. 9899934315).

versus

MANMOHAN MAGGU

.....Defendant

Through: Mr. Kartickay Mathur, Advocate for D-1.

None for D-3 and 5 despite service.

CORAM:

JOINT REGISTRAR (JUDICIAL) SH. DEVENDER KUMAR GARG (DHJS)

ORDER
31.07.2023

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CS(OS) 722/2022 & I.A. No. 19263/2022 (by plaintiff u/O XXXIX Rules 1 & 2 of CPC)

1. It is submitted that matter and captioned IA are coming up for hearing before the Hon'ble Court on 09.08.2023.

I.A. No. 10547/2023 (by plaintiff u/O XXII Rule 2 r/w Section 151 of CPC for causing an entry with respect to death of defendant no.4)

1. Ms. Akanksha Maggu already submitted that she has no objection if the captioned IA is allowed and her brother Mr. Sumit Maggu (defendant no.5) is arrayed as LR after the death of their mother i.e. defendant no.4.

2. As per office noting, notice of the captioned IA was served upon defendants no.1, 3 and 5 through ordinary mode, however, service report of notice sent to defendant



no.6 is awaited. ~~Summons~~ could not be issued to the defendant no.2 as no one came to collect the process for the said defendant.

3. No reply to the captioned IA was filed on behalf of the served defendants no.3 and 5.
4. Ld. Counsel for defendant no.1 submits that he does not wish to file any reply to the captioned IA and has no objection if the same is allowed.
5. Address of defendant no.2 belongs to Saudi Arabia and since time is short, no fresh notice of the captioned IA is being issued to the remaining defendants.
6. It is submitted that the main matter is coming up for hearing before the Hon'ble Court on 09.08.2023.
7. Ld. Counsels for both the parties have submitted that the captioned IA may be placed before the Hon'ble Court where they would make their further submissions.
8. At joint request, let the captioned IA be placed before the Hon'ble Court for further directions on the date already fixed in main matter i.e. **09th August, 2023.**

**DEVENDER KUMAR GARG (DHJS)
JOINT REGISTRAR (JUDICIAL)**

JULY 31, 2023/v

Click here to check corrigendum, if any