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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CS(OS) 3188/2014
BALIGH -UR-RAHMAN & ANR Plaintiffs
Through: Mr. W.R. Khan, Advocate
versus

MOHD IDREES & ORS Defendants
Through: Mr. Aditya Gaur, Advocate for D-1.

CORAM:
HON'BLE MS. JUSTICE HIMA KOHLI

ORDER
% **24.08.2016**

1. The present suit has been placed before the Court by the Registrar (Original) stating *inter alia* that the same has been received back from the District & Sessions Judge, South District, Saket Courts, on the ground that the suit property and the parties are not within the South District. It is stated that the suit ought to have been transferred to the South East District, Saket Courts Complex.

2. Learned counsel for the plaintiffs states that the plaintiff No.1 had expired on 24.05.2016 at Mecca, Saudi Arabia and he has drafted an application to bring on record his legal heirs and the prescribed period for filing the same shall expire today. He states that he had approached the Registry for filing the said application but they have declined to receipt it on the ground that the matter has been transferred to the District Court. He requests that he may be permitted to file the said application in the Registry today itself so that the same can be placed in part II file and thereafter, the file may be dispatched to the concerned District for further proceedings.

3. Ordered accordingly. The plaintiffs are permitted to file in the Registry the application to bring on record the legal heirs of the deceased plaintiff No.1 with a copy to the other side. The Registry shall accept the application and thereafter, transfer the case file to the District & Sessions Judge, South East District, Saket Courts Complex. The parties shall appear before the concerned Court on 14.09.2016.

4. It is made clear that as both sides are duly represented today, no fresh notice for appearance shall be issued and the parties shall ensure their presence before the concerned Court on the aforesaid date.

HIMA KOHLI, J

AUGUST 24, 2016

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