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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CM(M) 893/2015 & C.M.No.21012/2015
ANIL KUMAR DAWAR

..... Petitioner

Through Mr. Ramesh Kumar, Adv.

versus

RAJ KUMAR DAWAR & ORS

..... Respondents

Through Ms. Varsha Baxi, Adv. for R-1 and
the L.Rs. of R-3.
Mr. Rahul Kumar, Adv. for R-2.

CORAM:
HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

% **19.02.2016**

The suit stood abated on the death of the plaintiff on 27.04.2015. The wife of the deceased plaintiff was present on that date but because a strike by the lawyers on that day, the wife of the plaintiff could not bring this to the notice of the Court. She could not inform the Court that her husband having expired, she would be moving an appropriate application to bring the legal heirs on record.

The other legal heirs of late Prakash Wati are also represented today. This suit is for partition inter-se the siblings between the family of Prakash Wati.

This petition is disposed of with liberty granted to the non-applicant/legal representatives of Rakesh Kumar (present in Court) to move an appropriate application seeking setting aside of the abatement order dated 27.04.2015 along with an application seeking

condonation of delay and for which purpose, the Trial Court, in view of the factual matrix noted, shall consider the same on its merits.

Petition disposed of.

INDERMEET KAUR, J

FEBRUARY 19, 2016

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