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

+ EX.F.A. 12/2015

CHAMAN SINGH & ORS

..... Appellants

Through: Mr. Rajesh Yadav, Advocate with
Mr. Inder Singh, Advocate.

versus

UNION OF INDIA

..... Respondent

Through: Ms. Jyoti Singh, Advocate.

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

% **10.08.2017**

1. This appeal is disposed of as not pressed as this Court observes that since the executing court has held that there was no execution petition by DH no.4 and which fact is taken as final, therefore, it is stated that DH no.4 or his valid assignee will file the execution petition. Of course, it is however made clear that whether or not there is assignment will be decided in the fresh execution petition which is filed and after notice being issued to the original DH no.4 or if he has expired to his legal heirs. The issue of any validity of the assignment by DH no.4 or his legal heirs to the appellant no.1 will be an issue which is left open for being decided in the fresh execution petition which is proposed to be filed by the appellant no.1 subject of course

to the other observations made in the present order.

2. This Execution First Appeal is accordingly disposed of but with the aforesaid observations.

VALMIKI J. MEHTA, J

AUGUST 10, 2017
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