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

+ RFA 457/2006 & CMs 10031-32/2006, 12141/2006 and 2531/2011

RAJ KUMAR ALUNG

..... Appellant

Through: None.

versus

MANJIT SINGH

..... Respondent

Through: Mr. Rakesh Kansal, Advocate.

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

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12.10.2018

1. Appellant has expired on 9.11.2016 as per the copy of the death certificate filed by the respondent. In this appeal court notice was issued to the appellant as no one was appearing for the appellant when the matter was called out in the Regular Board.
2. Since the period for bringing on record the legal heirs of the appellant has expired, this appeal is therefore dismissed as abated.
3. Whatever amount is deposited by the appellant in this Court be released to the respondent alongwith accrued interest thereon, but subject to the respondent filing an undertaking that in case the appellant succeeds in

the appeal, the appellant undertakes to refund the amount to the appellant/legal heirs of the appellant.

VALMIKI J. MEHTA, J

OCTOBER 12, 2018/ib