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IN THE HIGH COURT OF DELHI AT NEW DELHI

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RFA 93/2019

SAMUNDER SINGH (DECEASED) THR LRS & ORS

..... Appellants

Through: Mr. Jayant Tripathi and Mr. Dinesh
Dahiya, Advocates (Mobile No.
79136212172).

versus

KAVITA & ORS

..... Respondents

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

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04.02.2019

C.M. Appl. Nos. 5059/2019 and 5061/2019 (for exemption)

1. Exemption allowed, subject to just exceptions.

C.M. stands disposed of.

C.M. Appl. No. 5062/2019 (for delay)

2. For the reasons stated in the application the delay of 48 days in re-filing the appeal stands condoned, subject to just exceptions.

C.M. stands disposed of.

RFA 93/2019 and C.M. Appl. No. 5060/2019 (for stay)

3. This appeal is disposed of as not pressed as this Court observes that once there are auction proceedings in execution of the final decree, then the appellants/plaintiffs in accordance with law will be

entitled to bid at the auction for purchasing the share of the successful plaintiffs. Also, it need not be gainsaid that all rights will be available to the appellants as provided in the Partition Act and Section 22 of the Hindu Succession Act.

4. The appeal and the pending application are accordingly disposed of with the aforesaid observations.

VALMIKI J. MEHTA, J

FEBRUARY 04, 2019

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