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

% Judgment delivered on: 23.12.2022

+ CM(M) 1468/2022

RAJBIR SINGH SINCE DECEASED THR LR AJIT KUMAR
..... Petitioner

versus

MS MONK TRADING PVT LTD AND ORS. Respondents

Advocates who appeared in this case:

For the Petitioner : Mr. Praveen Suri, Advocate.

For the Respondents : None.

CORAM:

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

JUDGMENT

TUSHAR RAO GEDELA, J. (ORAL)

[The proceeding has been conducted through Hybrid mode]

CM APPL. 56320/2022 (for exemption)

1. Exemption is allowed, subject to all just exceptions.
2. The application stands disposed of.

CM APPL. 56321/2022 (for impleading LRs of petitioner)

3. This is an application seeking impleadment of LRs of the deceased petitioner.
4. Mr. Praveen Suri, learned counsel appearing for the petitioner submits that the present application seeking impleadment is necessitated since the learned Trial Court has not yet considered the said application for impleadment of the deceased petitioner pending before it.
5. To the limited extent of the present petition, the LRs of the

deceased petitioner are impleaded.

6. The application is disposed of.

CM(M) 1468/2022

7. Learned counsel submits that the applications under Section 14 of the Limitation Act, Order 6 Rule 17 CPC, Order 22 Rule 3 CPC and Section 151 of the Code of Civil Procedure, 1908, are still pending before the learned Trial Court and have been directed to be listed on 03.01.2023

8. Learned counsel submits that the respondents are proceeding with due haste to execute the decree which is the grievance of the petitioner herein, and, therefore, urgent directions requesting the learned Trial Court to hear the pending applications on 03.01.2023, are sought.

9. In view of the aforesaid submissions as well as the constraint of time, no prejudice shall be caused to the respondents in case the orders are passed today itself.

10. In view of the submissions made, the learned Trial Court is requested to take up all the pending applications on 03.01.2023 and endeavor to dispose of the same after hearing the concerned parties. This order is without prejudice to the rights and contentions of the parties.

11. In view of the above, no further orders are required. The petition is disposed of in the above terms.

12. Order *Dasti* under the signatures of the Court Master.

TUSHAR RAO GEDELA, J .

DECEMBER 23, 2022/nd