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

+ **CM(M) 369/2023**

GOPAL KRISHAN (DECEASED) THROUGH LRS

..... Petitioner

Through: Mr. R. K. Sharma, Adv.

versus

RAJINDER PAL (DECEASED) THROUGH LRS & ANR.

..... Respondents

Through: Mr. Tarang Gupta and Mr. Kartikeya
Sharma, Advs. for R-1 (i) to (iv)
Mr. Ankur Mahindro, Mr. Rohan
Taneja and Mr. Mehul Jain, Advs. for
R-2.

CORAM:

HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

25.01.2024

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1. It is submitted on behalf of the respondents that in respect of the prayer clause, the petitioner has sought relief that the impugned order dated 25.07.2022 directing the learned Trial Court to hold an enquiry over the non-issue of determining as to the legal representatives status of one of the legal heirs (Mr. Praveen Bajaj) of deceased respondent no. 1. It is submitted that the enquiry has been concluded and the proceedings drawn accordingly have been furnished to the Court of learned Additional District Judge ("ADJ").
2. In view of the above, the present petition has become infructuous.
3. Learned counsel for the petitioner submits that he is willing to



withdraw the present petition as he shall be moving for appropriate proceedings, if needed, however, his prayer no. 2 with respect to time frame direction to the learned Appellate Court to expeditiously dispose of the appeal be granted.

4. It is submitted on behalf of respondent no. 6 that the parties be given liberty to move to the appropriate Forum, if needed.

5. Permission granted to withdraw.

6. Accordingly, the present petition along with the pending applications, if any, are disposed of.

7. Learned ADJ is hereby directed to expeditiously dispose of the appeal preferably within three months, with liberty to parties to move to an appropriate Forum, if required, in regard to grievance to the enquiry report.

SHALINDER KAUR, J.

JANUARY 25, 2024/ss