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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CM(M) 3289/2024 & CM APPL. 50266-50268/2024**
RAM SARAN (DECEASED) THROUGH LRS

.....Petitioner
Through: Mr. Vijandra Kumar Verma with Mr.
Yogendra Kumar Verma and Mr. S K
Verma, Advocates.

versus

UNION OF INDIA & ORS.

.....Respondent
Through: Ms. Arti Bansal with Ms. Suniti Singh,
Mr. Kamal Digpaul and Mr. Pushpesh
Digpaul, Advocates for R-2.

CORAM:
HON'BLE MR. JUSTICE MANOJ JAIN

ORDER
02.09.2024

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1. Petitioners herein are LR's of one of the Decree Holders. As per impugned order, they had been granted time, time and again, by the Trial Court to submit affidavits and despite the above said direction, they did not render the requisite assistance to the learned Executing Court and, therefore, the learned Executing Court directed the report to be requisitioned from the District Nazir, in terms of the observations contained in order dated 09.07.1978 whereby the reference in question was decided by this Court.
2. According to the petitioners herein, there are subsequent directions and development which have not been taken into consideration by the learned Trial Court.

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3. It is quite clear that the petitioners, themselves, are to be blamed as they did not file any affidavit and did not render due assistance to the learned Executing Court.
4. After hearing the arguments for some time, learned counsel for petitioner submits that he does not wish to press the present petition. However, he seeks liberty to file an application before the learned Trial Court seeking recall of the above said order and to place on record the requisite details along with the affidavits within one week.
5. In view of the above, the present petition is disposed of as not pressed.
6. Liberty, as prayed, is granted.
7. Since the matter is very old, it is expected that there would not be any further delay from the side of the petitioners herein and they would file appropriate application in this regard, as undertaken above, and the learned Trial Court would be at liberty to consider and dispose of any such application in accordance with law.

MANOJ JAIN, J

SEPTEMBER 2, 2024/sw