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

+ **CM(M) 111/2025 & CM APPL. 3246/2025 STAY**

DHARAMVIR SINGH (SINCE DECEASED)

THR HIS LR

.....Petitioner

Through: Mr. Pankaj Yadav and Mr. Sameer
Yadav, Advs.

versus

JAGE RAM (SINCE DECEASED) THR

HIS LR AND ANR

.....Respondents

Through: Mr. Gaganmeet Singh Sachdeva and
Mr. Harshpreet Singh, Advs. for
R2/DDA.

Mr. Yogesh Chhabra along with Mr.
Gaurav Singh and Mr. Tajpal singh,
Advs. for R1.

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

06.03.2025

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1. The present petition under Article 227 of the Constitution of India impugns the order dated 31.05.2025 passed by the learned District Judge in MISC DJ ADJ 240/ 2024 IN CS/ DJ/ ADJ No. 15531/ 2016 titled as "*JAGE RAM VS SATISH KUMAR AND OTHERS*".

2. The only grievance of the petitioner is that the learned Trial Court had allowed the application filed by the respondent under Order XXII Rule 3 CPC seeking impleadment of the LRs of the plaintiff without even notice to the petitioner and at his back.

3. The learned counsel has drawn the attention of this court to the order



dated 31.05.2024 and submits that the regular date in the matter was 23.10.2024. However, the learned Trial Court took up the case on 31.05.2024 without even issuing any notice to the petitioner.

4. Since, the order on the application has been passed without any notice or hearing the petitioner in this regard, the impugned order cannot be sustained inasmuch as the principles of natural justice have been violated.

5. Impugned order dated 31.05.2024 is, therefore, set aside with directions to the learned Trial Court to decide the application afresh after granting an opportunity to be heard to the petitioner.

6. Both parties to appear before the learned Trial Court on 28.03.2025.

7. It is clarified that nothing contained in this order shall tantamount to the expression to the merits of the petition and all rights and contentions of the parties are kept reserved.

RAVINDER DUDEJA, J

MARCH 6, 2025/sky/r