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

\+ RFA 601/2006 & CM No. 14977/2019

PAWAN MEHRA ..... Appellant
Through : Mr. Vinod Kumar, Advocate.

versus

BANWARI LAL ..... Respondent
Through : Mr. Pramod Kumar Sharma, Advocate for applicant in CM No. 14977/2019.

CORAM:
HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

O R D E R

% 07.08.2019

CM No. 14977/2019 (for directions)

The applicant/Mr. Satish Mehra makes a grievance that since no specific order was made allowing his application C.M. No. 12696/2009 filed under Order I Rule 10 CPC seeking impleadment, the decree sheet drawn-up pursuant to judgment dated 27.09.2018 in the present RFA does not include his name.

Mr. Pramod Kumar Sharma, learned counsel for the applicant points-out that in order dated 10.08.2015, it is recorded that the appellant/Mr. Pawan Mehra had no objection to the impleadment of the applicant/Mr. Satish Mehra; but inspite thereof the said impleadment application was not expressly allowed.

Counsel also points-out that it is recorded in order dated 23.02.2016 that the impleadment application CM No. 12696/2009

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was pending; and that it would be heard along with the main matter; but at the time of final disposal of the appeal also, the impleadment application was not allowed and disposed of.

Counsel further points-out that judgment dated 27.09.2009 is a common judgment whereby Regular First Appeals Nos. 601/2006 & 602/2006 were allowed; and in RFA No. 602/2006 the applicant's name duly appeared as one of the appellant, however in RFA No. 601/2006, by inadvertent error, the impleadment application was not expressly allowed and therefore his name does not appear as an appellant in the matter.

Notice in this application was issued on 01.04.2019.

Office report indicates that the appellant/Mr. Pawan Mehra has not been served. From amongst the respondents, only respondent No. 1(e) Mr. Hans Raj and respondent No. 1(g) Mr. Rajesh Kumar have been served whereas the other respondents have yet to be served.

In the circumstances, issue fresh notice to the respondents, returnable 25.11.2019.

Upon the petitioner taking steps, let notice be sent to the unserved respondents, for the returnable date.

List on 25.11.2019.

ANUP JAIRAM BHAMBHANI, J

AUGUST 07, 2019
j

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