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CS DJ No. 10164/16

JAG MOHAN GUPTA Vs. GIRDHARI LAL (DECEASED)

31.05.2023

Present:- None for the plaintiff.  
Sh. Raj Kamal Singh, Ld. Counsel for the LR's of defendant  
no. 11.  
defendant no. 7 and 8 are ex parte.  
Defendant no. 9 is deleted.

Be awaited.

**(Colette Rashmi Kujur)**  
**ADJ-10/Central/THC/Delhi.**  
**31.05.2023**

**AT 2:25 PM.**

Present:- Sh. Vineet Dubey, Ld. proxy counsel for the plaintiff.  
Sh. Shubham Agarwal, proxy Counsel for the LR's of  
defendant no. 11.  
Sh. S.S Jain, Ld. counsel for the LR's of defendant no. 10  
along with defendant no. 10 (B).  
Sh. Shrivats Kaushal, Ld. counsel for defendant no. 2 (A).  
Defendant no. 7 and 8 are *ex parte*.  
Defendant no. 9 is deleted.

The plaintiff wishes to file amended memo of parties however,  
the counsel for LR's of defendant no. 10 states that the same is incorrect as

it mentions incorrect addresses and incorrect persons (already deleted / expired/ no claim against them) therefore, this amended memo of parties is being returned to the plaintiff with direction to file a proper amended memo of parties after going through the court record.

An application **U/o 22 Rule 4 CPC** is pending adjudication for impleading LR's of deceased defendant no. 4 namely **Late. Sh. Virender Kumar Jain**. The counsel for the defendant has opposed this application on the ground that incorrect address of the LR's has been provided. It is submitted that the said address was also provided in the Hon'ble High Court of Delhi and was refused on the ground of being incorrect.

Let correct address of the LR's be provided.

Similarly another application **U/o 22 Rule 4 CPC** is pending adjudication for impleading LR's of deceased defendant no. 1 (B) namely **Late. Sh. Bipin Chand Jain**. The counsel for the defendant has opposed this application on the ground that incorrect address of the LR's has been provided. It is submitted that the said address was also provided in the Hon'ble High Court of Delhi and was refused on the ground of being incorrect.

It is further informed that preliminary decree was passed in the present matter on 02.01.1980 and the matter is fixed now for passing of the final decree. It is submitted that the plaintiff is deliberately delaying the present matter.

On the last date of hearing, directions were also given to the parties to inspect the file and flag the pending applications and with additional direction to the plaintiff to file amended memo of parties with

copy to the defendants. No effort has been taken by the plaintiff to go through the record. Already the matter is more than 75 years old.

The plaintiff is directed to comply with the previous order failing which a heavy cost will be imposed.

List for the said purpose on **07.07.2023**.

**(Colette Rashmi Kujur)**  
**ADJ-10/Central/THC/Delhi.**  
**31.05.2023**