

29.07.2025

CS No. 10164/16

Jag Mohan Gupta vs. Girdhari Lal

Present: Sh. Ayush, Ld. Counsel for the plaintiff no. 2A.
Ms. Aashna Arora and Sh. Gurtej Pal Singh, Ld. Counsel for Lrs of
defendant no. 1C(a) to 1C(d) through VC.
Sh. Mayank Bansal, Ld. Counsel for Lrs of defenant no. 11 alongwith
Sh. Sanjay Jain.
None for the defendant no. 10 a/w defendant no. 10(d).

Sh. Srivats Kaushal submits that he is withdrawing his vakalatnama for
Lrs no. 1B(i), 1D, 1E, 2A, 2B, 3B, 3C, 4A and 4B.

He further submits that he has duly informed his clients by writing a
letter/email to them.

None has appeared on behalf of Lrs no. 1B(i), 1D, 1E, 2A, 2B, 3B, 3C,
4A and 4B today.

Let court notice be issued to Lrs no. 1B(i), 1D, 1E, 2A, 2B, 3B, 3C, 4A
and 4B.

Ld. Counsel for the plaintiff no. 2 has directed the attention of the court
to the pending application dated 14.12.2000 whereas the two daughters of Late Smt.
Madan Kumari Jain were sought to be impleaded namely Smt. Subhashni Jain and
Smt. Anuradha Garg.

It is submitted by the counsel representing one of the sons of Late Sh.
Girdhari Lal Jain i.e. Sh. Devender Chand Jain that besides the aforesaid two
Lrs/daughters of Late Sh. Girdhari Lal Jain, one more daughter i.e. Smt. Indu has not
been mentioned in the said application and also that the name of the two daughters
namely Smt. Subhashni Jain and Smt. Anuradha Garg have wrongly been mentioned
whose names are Smt. Subhash and Smt. Radha.

It is further submitted that out of the aforesaid three daughters, one
daugher i.e. Smt. Subhash has also expired.

The counsel representing one of the sons i.e. Sh. Devender Chand Jain
(defendant no.1C(a) to (d)) is directed to file an amended application under the
provisions of Order 22 Rule 4 CPC thereby impleading all the remaining Lrs of Late

Sh. Girdhari Lal Jain within one week from today with advance copy to all the other parties.

IMPLEADMENT OF THE LRS OF SH. SANJEEV KUMAR JAIN

This is an application filed on 16.04.2018 as filed by plaintiff no. 2A seeking the impleadment of the Lrs of defendant no. 6 i.e. Sh. Sanjeev Kumar Jain, S/o of Sh. Sher Singh and grandson of Sh. Ishri and the great grandson of Sh. Saman Lal.

The application filed under the provisions of Order 22 Rule 4 CPC seeking the impleadment of the Late Sh. Sanjeev Kumar Jain states that Sh. Sanjeev Kumar Jain expired on 15.12.2017 and is survived by Smt. Bela Jain (wife), Sh. Sameer Jain (Son), Sh. Sidharth Jain (Son), Ms. Sarika Mundhra (Daughter) who are all stated to be resident of D-405, Defence Colony, New Delhi-110024 or 62, Western Avenue, Sainik Farms, New Delhi.

It is pertinent to mention that Sh. Sanjeev Kumar Jain S/o of Sh. Sher Singh and grandson of Sh. Ishri and the great grandson of Sh. Saman Lal. As per the preliminary decree dated 02.01.1980 has 1/12th share in the suit property to the exclusion of the others Lrs of Sh. Sher Singh.

The notices of the application under Order 22 Rule 4 CPC were repeatedly issued upon the aforesaid Lrs of Late Sh. Sanjeev Kumar Jain however, as per the service reports, the aforesaid Lrs were stated to be not residing at the given addresses and accordingly the said Lrs were directed to be served through publication after carrying out affixation at the suit property.

As per the orders dated 18.03.2025, the aforesaid Lrs of Sh. Sanjeev Kumar Jain were served through publication which were carried out on 06.02.2025 and 14.03.2025.

Despite the same, none has appeared on behalf of any of the Lrs of Sh. Sanjeev Kumar Jain.

Keeping in view the fact that right to sue survives in favour of Sh. Sanjeev Kumar Jain upon the four LRs of Sh. Sanjeev Kumar Jain being class-I Lrs

of deceased defendant no. 6, the application seeking impleadment of said Lrs is allowed and the aforesaid Lrs are taken on record.

IMPLEADMENT OF THE LRS OF LATE SH. DEVENDER CHAND JAIN

In the present application, prayer for the impleadment of the Lrs of Sh. Devender Chand Jain has also been made who is stated to have expired on 19.01.2018. As per the present application, Sh. Devender Chand Jain is stated to be survived by four Lrs i.e. Smt. Beena Jain, Sh. Rajeev Jain, Sh. Nitin Jain and Ms. Neeti Jatia.

The counsel Ms. Aashna Arora who appears on behalf of the aforesaid Lrs i.e. Smt. Beena Jain, Sh. Rajeev Jain, Sh. Nitin Jain and Ms. Neeti Jatian submits that she has no objection in case the said Lrs of Late Sh. Devender Chand Jain are impleaded in the present suit upon whom the right to sue survives.

In view of the aforesaid, the present application in so far as the same pertains to the impleadment of the Lrs of Late Sh. Devender Chand Jain is concerned, is allowed and the four Lrs of Late Sh. Devender Chand Jain are impleaded in the present suit as necessary parties.

The plaintiffs are directed to place on record the amended memo of parties strictly in accordance with the applications which have been decided vide orders dated 14.07.2025, 15.07.2025 and orders passed today.

Renotify on **05.08.2025 at 2 PM.**

Sachin Sood
DJ-01, Central,
THC, 29.07.2025