

CS No. 75/19
Rohtash vs. Ashok and ors.

16.02.2023

Present: Sh. R.K. Bharti, Ld. Counsel for the plaintiff.
Ms. Akansha, Proxy counsel for Ms. Archana Chibber,
Ld. LAC for the defendant no. 2 and 3.
Ms. Kavita, wife of defendant no. 1 in person.
Saifuddin, CVD, Sub-Registrar Office, Kashmere Gate.

It is submitted by the Ld. Counsel for the defendants that the defendant no. 1 has expired on 07.10.2022.

Copy of the death certificate is taken on record.

Be awaited.

(Ajay Gulati - II)
ADJ- 01 (Central),
THC, Delhi, 16.02.2023

At 12:00 PM

Present: Sh. R.K. Bharti, Ld. Counsel for the plaintiff.
Ms. Archana Chibber, Ld. LAC for the defendant no. 2 and 3
Ms. Kavita, wife of defendant no. 1 in person.
Saifuddin, CVD, Sub-Registrar Office, Kashmere Gate.

Ld. Counsel for the plaintiff has moved an application under Order 22 Rule 4 CPC seeking impleadment of the LRs of the defendant no. 1. Copy supplied.

Ld. Counsel for the defendant no. 2 and 3 submits that she has no objection if the present application is allowed.

It is seen that the present application has been filed after 5 months from the death of the defendant no. 1 who was the son of the plaintiff however since the right to sue survives against the LRs of the defendant no. 1 therefore in the interest of justice, the present application is allowed however subject to cost of Rs. 2000/- to be paid to the wife of the defendant no. 1.

Amended Memo of Parties is taken on record.

LR/Ms. Kavita, wife of defendant no. 1, seeks time to engage counsel.

Saifuddin, CVD, Sub-Registrar Office, Kashmere Gate is bound down to appear on the NDOH with the summoned record.

Diet money paid.

List for PE on **19.05.2023.**

(Ajay Gulati - II)
ADJ- 01 (Central),
THC, Delhi,16.02.2023