

04.03.2023

Present: Shri Jitender Kumar, ld. counsel for plaintiff a/w plaintiff.
Shri Anil Tejan, ld. counsel for all defendants a/w D2 & 3.

Ld. counsel for plaintiff submits that an application u/o 22 rule 4 r/w section 151 CPC for impleading LR's of deceased defendant no.1 was filed on 15.10.2022. It is also submitted that defendant-Charan Singh expired on 22.12.2020 leaving behind four legal heirs i.e. Raj Kumar, Sanjay, Hariom and Sindhu. It is also submitted that Sanjay has also expired but his legal heirs namely his wife Amresh and his daughter Neha are already plaintiffs in the suit. It is also submitted that Raj Kumar(son), Hariom (son) and Sindhu (daughter of deceased D-1-Charan Singh) be permitted to be impleaded as parties to suit as this is a suit for partition and the right to sue survives against above mentioned LR's also.

Ld. counsel for defendants submits that as per instructions from the defendants, they have no objection if the above mentioned LR's be impleaded as parties to suit.

In view of above submissions, the above mentioned application be allowed.

Let the amended memo of parties be filed.

Put up for PE on 04.05.2023.

(Rajesh Kumar)
Addl. District Judge-03
East/KKD Courts/Delhi
04.03.2023