

CS 2187/16

SAROJ BALA AND ORS. Vs. PAWAN LAL AND ORS.

06.01.2023

Pr: Sh. Sudhir Gupta and Ms. Darshika Tiwari, counsels for plaintiffs.
Ms. Priyanka Aggarwal, counsel for L.Rs of D3.
Sh. Pankaj Garg, counsel for L.Rs of D4 except L.R D4d
Sh. Tarvinder Kapoor and Sh. Anil Kapoor, guardians of L.R Hemant Sharma of D3.
PW Rakesh Kumar in person.

An application filed on 21.12.2022 on behalf of applicants Sh. Subhash Chander Kapoor, Anil Kapoor and Tarvinder Kapoor under Order XII Rule 4 r/w order XXXII Rule 1,4 and 15 and section 151 CPC and sec 5 of Limitation Act.

It is submitted that D-3 Meet Raj Sharma expired on 12.01.2022 and he is survived by his only Shri Hemant Sharma. It is also submitted that the only son of deceased defendant no.3 is mentally weak/ unsound and is suffering from Schizophrenia and he is still undergoing treatment. It is also submitted that due aforesaid condition of Hemant Sharma, the deceased defendad1 no.3 during his lifetime had executed a Will dated 14.09.2016 duly registered in favour of applicants and appointed the applicants as the guardians of his son. Copy of the Will is also filed alongwith the application. Hence, it is prayed that Shri Hemant Sharma be permitted to be impleaded in place of deceased defendant no.3 being his LR and applicants be appointed as guardian of Hemant Sharma.

Heard. Record Perused, considered. During the course of arguments Id. Counsel for plaintiff has no objection if the present application is allowed.

06.01.2023

Present: Shri Subham Verma, ld. counsel for applicant.

File taken up today upon an application u/s 151 on behalf of plaintiff seeking permission to get the proposed defendants be served by way of publication in the newspaper "Rajasthan Patrika". Heard and perused. For the reasons mentioned in the application, the same is allowed.

Let the proposed defendant as mentioned in the application be served by the mode of publication in the local newspaper in the Edition having wide circulation in that area on filing of PF. Publication charges be deposited directly to the publishers. Dasti prayed is allowed.

Put up on date fixed.

(Rajesh Kumar)
Addl. District Judge-03
East/KKD Courts/Delhi
06.01.2023