

29.04.2026

Present: Plaintiff in person.
Sh. Vipin Kumar, Ld. Counsel for defendant No.1 & 2.
Defendant no. 3 & 4 are already ex-parte vide order dated
23.01.2025.

Notice of defendant no.3 & 4 in respect of plaintiff's application U/o 6 Rule 17 CPC received back with due service. But inspite of calls and waiting none has appeared on their behalf.

I have heard the submission on application of plaintiff U/o 6 Rule 17 CPC. Case file perused.

Plaintiff by the aforesaid application wants to add a prayer (E) in prayer clause of the suit as under
(E) Pass a decree of declaration that the right, title and interest in the suit prooperties vest exclusively in the plaintiff under the Registered Will dated 26.12.2022 executed by Late. Sh. Sohan Lal.

It is admitted fact that plaintiff does not want to add no new fact in the plaint.

During Courts of argument Ld. Counsel for defendant no.1 & 2 submitted that the aforesaid application of the plaintiff be disposed as allowed subject to heavy cost as plaintiff has caused delay in the disposal of the case.

Admittedly, issues has been framed in this matter on 08.01.2024 so considering the fact and circumstance of the case and in view of statement of Ld. Counsel for defendant no. 1 & 2, the aforesaid application of plaintiff is disposed as allowed subject to cost of Rs.4,000/- payable to the defendant no.1 & 2 in equal proportion.

Plaintiff is directed to file the fresh amended plaint adding the prayer (E) in prayer clause of the suit. Advance copy of same be supplied to the defendant who shall liberty to file the WS, if any.

Put up for **06.07.2026**.

(Ravinder Singh-I)
District Judge-03
East District, KKD Courts,
Delhi, 29.04.2026