

The case file received by way of transfer vide order no. 35/G-I/Gaz-IA/DHC/2023 dated 29.08.2023. It be checked and registered.

Present : Sh. K.K. Malhotra, Ld. Counsel for the plaintiff along with plaintiff.

Suit is already abated on behalf of the defendant no. 1.

Sh. Vaibhav Kumar, Ld. Proxy Counsel for the defendant no. 2.

Sh. R.P.S Sirohi, Ld. Counsel for the defendant no.3 and 4.

Defendant no. 5 is already exparte.

Ld. Counsel for the plaintiff submits that vide order dated 03.12.2022, it has been wrongly mentioned that Sh. Vashudev Gupta has been expired. He further submits that Sh Vashudev Gupta is very much alive as per his knowledge but Sh. Vashudev Gupta is already proceeded exparte.

Ld. Counsel for the plaintiff has filed amended memo of parties.

Ld. Counsel for the plaintiff submits that his three applications i.e. (1) application dated 31.10.2018 u/s 21 and 22 Specific Relief Act (As per him, reply has been filed) (2) application dated 06.06.2022 u/s 26 Specific Relief Act (as per him, reply of the same is yet to be filed) (3) application dated 26.04.2022 u/o 23 Rule 1 CPC (as per him, reply of the same has been filed by the defendant no.2 and reply of the same is yet to be filed by the remaining defendants.) are pending for adjudication.

Ld. Counsel for the defendant no. 3 and 4 submits that right to sue does not survive in the present case.

Put for arguments on all above said applications and on issue of

right to sue survive or not in the present case on **22.01.2024**.

It is directed to counsel for the defendants to supply copy of reply of the applications in advance to the counsel of plaintiff.

(Vikas Garg)
ADJ-05/East/KKD
Delhi/29.11.2023