

11.07.2023

Present: Shri Karan Bhambri, Id. counsel for plaintiff.
None for defendants.

An application u/o 22 rule 3 CPC for impleadment of LR's of plaintiff no.2 as parties to the suit was filed on 07.06.2023.

Order on IA u/o 22 rule 3 CPC.

It is submitted by the Id. counsel for plaintiffs that during the pendency of the suit, plaintiff no.2 – Sh. Yad Ram had expired on 13.04.2023 leaving behind his five legal heirs namely Smt. Ombati (wife), Smt. Heera Kumari (daughter), Smt. Nirmala (daughter), Shri Jay Prakash (son) and Sh. Dinesh Kumar (son). It is further submitted that after the death of plaintiff no.2, his legal heirs are required to be impleaded as parties to the suit. The legal heirs of plaintiff no.2 are necessary and proper parties in the instant suit and without impleading them, no conclusive decree could be passed. It is therefore requested that the present application be allowed.

Heard. Record perused and considered.

It is pertinent to mention that present suit is at initial stage and pleadings are yet to be completed. Legal heirs of plaintiff no.2 are proper and necessary parties to the suit for proper adjudication of the present case. No prejudice would be caused to any of the parties, if the present application is allowed for impleadment of LR's of plaintiff no.2. In view of above as well as facts and circumstances of the present case, the present application is allowed. LR's of plaintiff no.2 are impleaded as parties to the suit.

Amended memo of parties be filed.

Put up for completion of pleadings, admission & denial of documents and framing of issues on 11.09.2023.

(Rajesh Kumar)
Addil. District Judge-03
East/KKD Courts/Delhi
11.07.2023