

Counter Claim 18/18
SURENDER KUMAR Vs. DDA
22.07.2023

Present: Sh. Ankur Goel, Ld counsel for defendant/counter claimant through VC.

Ms. Promila Kapoor, Ld counsel for the plaintiff/respondent no. 1.

Husband of respondent no. 2 in person.

None for respondent no. 3. Respondent no. 3 has expired.

No application has been moved for substitution of LRs of respondent no. 3. Nonetheless Ld counsel for the defendant/counter claimant states that no relief has been sought against respondent no. 3 and accordingly he does not want to implead LRs of respondent no. 3. In view of the submissions so made and on account of non-impleadment of LRs despite his death, proceedings against respondent no. 3 stands abated.

One application moved by the defendant/counter claimant seeking impleadment of LRs of defendant/counter claimant is on record as was filed on 30.07.2022. Ld counsel for the respondent states that they have no objection if the application is allowed. Considering the application as well as no objections given by the parties and as the right to sue survives, the application stands allowed.

Amended memo of parties be filed by the counter claimant within three weeks from today.

Relist the matter for completion of pleadings as well as for framing of issues now on 07.12.2023.

(Gaurav Rao)
Additional District Judge-03
Patiala House Courts, New Delhi
22.07.2023