

06.03.2025

Present: Sh. Ashok K. Sagar and Sh. Ritu Raj, Ld. Counsel for LR's of P-1 and P-2.
Ld. Counsel for LR's of D-1 and D-3.
None for D-2, D-4 and D-5.

Amended memo in terms of last order filed by plaintiff. The same is taken on record.

Counsel for plaintiff had moved an application for impleadment of LR's of D-1 on last date. Counsel for defendant submits that he does not wish to file any reply to the said application. It is argued on his behalf that since D-1 had transferred the suit property to D-2, D-3 and D-4 during his lifetime, therefore, there is no need to implead any LR's. This is disputed by Counsel for plaintiff.

Whether there was any transfer by D-1 to D-2 to D-4 or not is a question which shall require trial. As far as the present suit is concerned, it is suit for partition and therefore on the death of D-1, his LR's are necessary parties to the present suit.

Accordingly, the present application is disposed off by taking on record all the LR's of D-1 (who are also parties to this suit in their individual capacity as per the memo taken on record today).

D-4 duly served on 24.02.2025. He is at liberty to file his written statement as per law.

D-5 not served. Let fresh summons be issued to D-5 on filing of PF/RC/Speed-post for next date of hearing.

I may note that independent notices to the impleaded LR's of D-1 has not been issued in view of the fact that they are already parties in the present suit.

List for appearance of D-4 and D-5 on 16.05.2025.

Aashish Gupta
DJ-01/NE/KKD/DELHI
06.03.2025