

CS No.33/22

SANJEEV KUMAR Vs. DEVENDER KUMAR @ DEVI AND ORS

28.11.2022

Present: Sh. Faizaz Ahmed, learned proxy counsel for Sh. Abhishek Kumar, for plaintiff alongwith plaintiff in person.
Defendant no.1 is stated to have expired on 24.10.2022.
Ms. Meenu, learned proxy counsel for Sh. Ikrar Siddiqui, for Lrs of defendant no.1 and defendant no.2 and 3.

Matter is fixed for service of defendants.

Process sent to defendant no.1 and 2 received back served on 19.09.2022 whereas process sent to defendant no.3 not received back.

It is submitted by learned proxy counsel for Lrs of defendant no.1 that she has instructions to appear even on their behalf. Let memo of appearance on behalf of Lrs of defendant no.1 and defendant no.2 and 3 be filed during the course of the day.

At this stage, an application under Order XXII Rule 4 r/w Sec. 151 CPC for impleadment of Lrs of defendant no.1 filed. The application is not supported with copy of death certificate of defendant no.1, though plaintiff confirms that defendant no.1 has expired. Copy supplied.

Lrs of defenant no.1 are directed to file reply to the aforesaid application with an advance copy to the opposite party against receiving.

Defendant no.2 and 3 are directed to file written statement within four weeks with an advance copy to the opposite party against receiving.

List for reply and arguments on the aforesaid application / filing of pleadings on behalf of defendant no.2 and 3, on **16.02.2023**.

MONA TARDI KERKETTA
ADJ01/NE/KKD/DELHI
28.11.2022 pk