

CS 149/25
KUNDAN LAL Vs. DHANI RAM

01.04.2026

Present: Ms. Anu Tyagi, Ld. Counsel for plaintiff alongwith plaintiff.
Sh. Vishal Rathore, Ld. Counsel for defendants no. 1 & 5.
Sh. Mayank Jain, Ld. Counsel for defendant no. 3.
Sh. Sandeep Kumar, Ld. Counsel for defendant no. 4 alongwith defendant no. 4.
Defendant no. 2 has since expired.

An application has been filed by the plaintiff under Order 22 Rule 4 CPC for bringing on record the LRs of deceased defendant no. 2.

At this stage, it is informed by both the parties that before death, defendant no. 2 along with defendant no. 1 & 4 have relinquished their share in the suit property in favour of the plaintiff and defendant no. 5 vide a written Relinquishment Deed dated 19.11.2025 which is pending before the Ld. Sub-Registrar, Seelampur for registration. Thus, the dispute remains only with defendant no. 3 who is claiming her share in the suit property.

It is informed by the parties that the said defendant is demanding Rs.18 lac towards her share in the suit property. She is present in person and also reiterate this claim whereas, the other shareholders initially were prepared to pay her Rs.6 lacs but are now willing to increase that amount to Rs.8 – 10 lacs but she is not willing to accept that.

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Arguments on the application under Order 22 Rule 4 CPC heard. None of the parties have any objection to the said application. Accordingly the application is allowed and the LRs of the deceased defendant no. 2, as mentioned in the application are taken on record.

Amended memo of parties has already been filed.

At this stage, Ld. Counsel for plaintiff submits that she does not want to press her application under Order 39 Rule 1 & 2 CPC as also another application filed under Order 11 Rule 14 CPC. Both the applications are accordingly dismissed as not pressed.

In view of the settlement arrived at between the plaintiff and defendants no. 1, 2, 4 & 5, the plaintiff does not want to continue with the present suit and submits that the same may be disposed of as settled.

His statement is recorded separately. In view thereof, the present suit is disposed of as settled between plaintiff and defendants no. 1, 2, 4 & 5 and dismissed as withdrawn as against defendant no. 3.

A decree be passed under Order 23 Rule 1 CPC. Court fees if any be returned to the plaintiff as per rules.

No order is passed as to costs.

File be consigned to Record Room.

(SANJAY SHARMA-I)
Principal District & Sessions Judge,
North-East District, KKD, Delhi/01.04.2026