CS 352/23
KALAWATI Vs. SONKALI

14.11.2024

Present: None.

Plaintiff Kalawati had sued her daughter Sonkali on the ground that she was her licensee and thus, inter alia she sought a decree of mandatory injunction seeking direction against defendant to vacate the suit property and also to clear electricity/water dues etc. She had also prayed for damages/use and occupation charges from the defendant along with decree of permanent injunction. Plaintiff thereafter died and now, one of her sons namely Shri Kishan wants himself to be impleaded as her sole LR on the ground that original plaintiff Kalawati had given a registered Will in his favour. He has filed copy of said Will along with this application u/O XXII Rule 2 CPC.

Considering the Will placed on record, it appears that right to sue survives in favour of Shri Kishan and thus, he is required to be impleaded as LR of plaintiff. It is ordered accordingly. Application u/O XXII Rule 3 CPC is disposed of and the query raised vide order dated 24.08.2024 in this regard is answered accordingly.

Let amended memo of parties be filed by Shri Kishan.

List on 24.01.2025.

AASHISH GUPTA

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Date: 2024.11.14 16:38:58 +0530

AASHISH GUPTA
DJ-01/NE/KKD/DELHI
14.11.2024