

07.08.2025

Present: Ld. Counsel for plaintiffs.
Ld. Counsel for defendants.

P-1 has filed her affidavit in evidence. Copy supplied.

Plaintiffs have also moved an application U/O I Rule 10 CPC praying for deletion of names of D-2 and D-3 from the array of parties on the ground that in the joint written statement filed by all the defendants (including D-2 and D-3), it is alleged that said defendants have no right, title or claim in the suit property. It is pleaded that the said defendants were impleaded as D-2 and D-3 inadvertently.

The trial in the matter has already commenced and matter is fixed for plaintiffs' evidence. Thus, in the middle of trial, I am not inclined to delete any of the defendants as that would only delay trial in the matter. Any admission made by D-2/D-3 in their written statement would in any case not prejudice plaintiffs' case. Thus, the application is dismissed.

One more opportunity granted to plaintiffs to lead evidence. List for PE on 01.12.2025.

Aashish Gupta
DJ-01/NE/KKD/DELHI
07.08.2025