

CS DJ 58837/16

JAI PRAKASH MATHUR Vs. SURAT YADAV ANR.

18.12.2023

Present: Sh. Dheeraj Pandey, counsel for the plaintiff.
Sh. Ravi Mishra proxy counsel for the defendant.

Ld. counsel for the plaintiff presses his application dated 05.08.2023 under order 22 rule 3 CPC.

It is argued that Sh. Jai Prakah Mathur, the original plaintiff died on 16.06.2023 leaving behind his widow and two sons. The application is supported by affidavit and death certificate. Surviving members certificate is also on record.

Ld. proxy counsel for the defendants states that he has not received copy of the application. Ld. counsel for the plaintiff states that the copy was supplied by speed post dated 08.08.2023.

The court is of the considered opinion that since the application is supported by affidavit, death certificate and surviving members certificate, the same deserves to be allowed subject to all just exceptions. The amended memo of parties dated 05.08.2023 is taken on record.

The vakalatnama on behalf of newly added LR's of plaintiff is already on record. Now to come up for PE by way of affidavit with advance copy to counsel opposite on **20.02.2024**.

(Vikram Bali)
ADJ-02/ North/ Rohini Court
Delhi/18.12.2023