

CS No.57950/16

Raj Singh Vs.Smt. Pushpa Aggarwal

13.04.2018.

Present:- Counsel for the plaintiff.

Counsel for the defendants.

It is submitted by the counsel for the plaintiff that plaintiff has expired on 13.03.2018. At this stage, an application under 22 rule 3 CPC seeking impleadment of LRS of plaintiff filed. It is submitted by the Counsel for the defendants that he has no objection if the said application is allowed.

On the basis of the submissions of the Counsel for the defendants and the fact that the right to sue survives with the LRs of deceased plaintiff, the application under 22 rule 3 CPC seeking impleadment of the LRs of the deceased plaintiff is allowed and they are substituted in his place. Let amended memo of parties be filed on the next date of hearing.

Since the plaintiff has expired, the application of plaintiff under order 26 Rule 1 CPC for appointment of LC for recording his evidence is dismissed as withdrawn.

Matter is at the stage of PE. Put up for PE as well as consideration on the application of plaintiff under order 12 rule 8 CPC on **14.08.2018**. Let the affidavit of the witnesses be filed at least one week prior to the next date of hearing with advance copy to the other party.

Kiran Gupta
ADJ-03, Rohini Courts,
North District, Delhi
13.04.2018