

22.03.2023

Present: Sh. Vikram Kumar, Ld. Proxy counsel for the plaintiff.

Sh. S. K. Tiwari, Ld. Counsel for the defendants No.1 & 2.

In the case in hand, an application u/o XXII Rule 3 of the CPC filed by the legal heirs of the deceased plaintiff, is pending disposal. The said application is accompanied by the copy of the death certificate of the deceased plaintiff Smt. Usha Madan, as per which, the plaintiff expired on 21.04.2022 at Delhi. The names and addresses of the legal heirs of the deceased plaintiff have been disclosed in para No.5 of the abovesaid application and the same are as follows :-

- a) Harsh Wardhan Madan aged about 71 years (Husband of late Sh. Smt. Usa Madan).
- b) Vikram Madan aged about 43 years (eldest son of late Smt. Usha Madan).
- c) Deepti Arora aged about 40 years (Daughter of Late Smt. Usha Madan).
- d) Gaurav Madan aged about 38 years (Youngest son of Late Sh. Usha Madan).

The legal heirs of the deceased plaintiff have prayed that the abovesaid application may be allowed and the legal heirs of the deceased plaintiff, whose names and addresses have been disclosed in para No.5 in the abovesaid application, be substituted in place of the deceased plaintiff.

Ld. Counsel for the defendants No.1 & 2, without filing any reply to the abovesaid application u/o XXII Rule 3 of the CPC, states that he has no objection if the said application is allowed.

Contd...2

None for the defendant No.3. As such, **the defendant No.3 is hereby proceeded ex-parte in the present suit.**

Keeping in view of the abovesaid submissions of the ld. Counsel for the plaintiff and the ld. Counsel for the defendants No.1 & 2, the abovesaid application u/o XXII Rule 3 of the CPC is allowed and the legal heirs of the deceased plaintiff, whose names and addresses have been disclosed hereinabove, are hereby taken on record.

The plaintiff shall place on record the amended memo of parties by the next date.

At the request of the ld. Counsel for the plaintiff, now, to come up on **18.05.2023**.

(Raj Kumar)
ADJ-02/ North/ Rohini Court
Delhi/22.03.2023