

MCA DJ 47/19
RAMESHWAR Vs. LAXMI AND ORS.

07/04/2026

Present : Sh. Prateek Jain, Sh. Mukul Tomar & Sh. Mohit Rathi,
Ld. Proxy Counsels for appellant.
Sh. Arjun Singh, Ld. Proxy Counsel for respondents with
respondent no. 4.

Ld. Counsel for the appellant presses his application under
Order 22 Rule 3 CPC dated 11/12/2025.

It is argued that Sh. Rameshwar – appellant had expired on
17/02/2024. He is survived by his widow, three sons and three daughters.

Per contra, Ld. Counsel for the respondents have no objection
to the application.

Heard. File perused.

Sh. Rameshwar – appellant herein was defendant no. 1 before
the Ld. Trial Court. Plaintiff has filed a suit for restraining defendant no. 1
from raising any construction / demolition activity in the suit property. Thus,
right to sue survives against the Legal Heirs of defendant no. 1 / appellant
herein.

**Application under Order 22 Rule 3 CPC dated 11/12/2025 is
allowed.** Amended memo of parties dated 11/12/2025 is taken on record,
subject to all just exceptions.

Ld. Counsel for the appellant states that he is representing the
Legal Heirs of the appellants now impleaded and he will file a Vakalatnama
on their behalf before the next date of hearing.

At request of the Ld. Counsel for LR's of the appellant, to
come up for final arguments on **20/07/2026**.

(VIKRAM BALI)
DISTRICT JUDGE-02/NORTH/ROHINI
DELHI/07/04/2026