

SURENDER Vs. DHARAMBIR AND ORS.**23.04.2024**

Present: Sh. Sudhir Shokeen, Sh Mukesh Kumar and Sh.
Lakshay Shokeen, Ld. Counsels for plaintiff.
None for defendants.

Submissions on the application of plaintiff under Order 22 rule 4 CPC for substitution of legal heirs of defendant no. 3 Suresh and defendant no. 1 Dharambir are heard.

The present suit is for partition of immovable property and defendant no. 1 Dharambir has expired on 12.01.2023 whereas defendant no. 3 Suresh has expired on 03.05.2023. The suit for partition does not abate due to death of party and as right to sue survives, both the application are allowed.

The persons named in the applications are allowed to be substituted as legal representative of deceased defendant no. 1 and defendant no. 3. Amended memo of parties is taken on file.

Prior to filing of the present application, matter was pending for plaintiff evidence.

Put up for remaining evidence of the plaintiff on
22.08.2024.

(SUNIL CHAUDHARY)
DJ-04/North-West
RHC/Delhi 23.04.2024