

Ravi Shankar vs Delhi Urban Shelter Improvement Board and ors.

RCA: 61062/2016

29.08.2019

Present: Counsel for appellant.

Counsel for respondent no.1.

Counsel for respondent no.3 and LRss of deceased respondent no.2.

Application u/o 22 rule 4 CPC of the appellant is pending seeking impleadment of Lrs of deceased respondent no.2 Laxmi Devi.

It is stated in the application that respondent no.2 has expired on 07.02.2019, leaving behind three Lrs i.e. one son and two daughters, as mentioned in the application. It is stated that right to sue survives in favour of appellant and against the Lrs of deceased respondent no.2. Hence, they be impleaded in place of deceased respondent no.2.

No reply is filed by either of the respondents on this application and both of them submit that they have no objection, if the application is allowed.

Considering that the application has been filed within the period of limitation, right to sue survives in favour of appellant and against the deceased Lrs of respondent no.2 and no objection of the counsel for both set of respondents, the present application is hereby allowed. Lrs of deceased respondent no.2 are impleaded in place of her. Application is disposed off. Amended memo of parties be filed.

Put up for arguments on appeal, on 11.10.2019.

(Charu Aggarwal)
ADJ-03/West Distt./THC/Delhi
29.08.2019