

03.02.2023

Present: Sh.Rishabh Adv. Ld. Proxy counsel for plaintiff.
Ms.Samapika Biswas Adv. Ld. Counsel for all the
proposed LRs of defendant no.1.
Sh.N. K. Sharma Adv. Ld.counsel for defendant
no.2.
Heard on the impleadment application. Defendant no.1
has died on 09.07.2022.

This is a suit for injunction. Since the right to sue survives, therefore, all the three LRs of defendant no.1 are taken on record. Impleadment application is allowed.

Let the proper amended memo be filed as the amended memo filed with the application is not proper.

Written statement is not filed by the defendant no.2 till date. Ld. Counsel for defendant no.2 submits that defendant no.2 shall file the written statement during the course of the day. D-2 can file the same at his own risk.

Ld. Counsel for LRs of defendant no.1 are directed to file the written statement within a period of 4 weeks and advance copy being supplied to the opposing counsel.

At this stage, at joint request, matter is referred to Mediation Cell, Saket, New Delhi.

Both the parties are directed to appear before Ld. Mediator, Saket, New Delhi on **15.02.2023 at 02.00p.m.**

LRs of defendant no.1 undertake, without prejudice, not to create any third party interest in the suit property till next date of hearing.

In view of the same, put up for completion of pleadings, filing of affidavit of admission denial and framing of issues on **13.04.2023.**

(Munish Markan)
ADJ-02(SE)/District Courts, Saket,
New Delhi/03.02.2023