

CS DJ 1918/17

RAKESH KUMAR RAMWANI Vs. DEEPAK RAMWANI

18.09.2019

Present: Sh. Kamal Khurana, Ld. Counsel for plaintiff alongwith
plaintiff no. 2 Sh. Ashok Kumar Ramwani.

Defendant no. 1 in person.

Sh. Yogesh Sharma, Ld. Counsel for defendant no. 2 and
LR's of deceased defendant no. 3.

Record of the file reveals that an application u/O 22 R 4
CPC as moved on behalf of the plaintiffs is pending disposal.

Today, I have heard the Ld. Counsel for parties on the
aforesaid application. In this regard Ld. Counsel for defendant no. 2
and LR's of deceased defendant no. 3 has fairly conceded that he has
no objection if the application of the plaintiffs u/O 22 R 4 CPC is
allowed.

Now taking into consideration the fact that the right to
sue survive against LR's of deceased defendant no. 3, application of
the plaintiffs u/O 22 R 4 CPC and application of defendant no. 1 u/O
1 R 10 CPC stands allowed. Applications are disposed of accordingly.

No written statement has been filed on behalf of

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defendant no. 2 and LR's of deceased defendant no. 3.

Let the same be filed within one week from today with advance copy to the other side.

In view of the aforesaid observation, applications of plaintiff u/O 8 R 10 CPC stands dismissed and another application of the defendant no. 1 u/O 8 R 1 CPC stands allowed subject to cost of Rs.2000/- to be paid to the plaintiff by defendant no. 1 and 2.

Now, put up for filing of replication, reply and arguments on the interim injunction application on **16.01.2020**.

(Mohinder Virat)
ADJ-02/SE/Saket/New Delhi
18.09.2019