

05.06.2025

Present : Sh. Amit Kumar Ld. Counsel for plaintiff as well as
for proposed plaintiff through VC.

Today, matter is listed for consideration.

An application u/o 1 R 10 (2) CPC with amended memo of parties was filed by proposed plaintiffs on 01.04.2025. Same be taken on record.

At this stage, Ld. Counsel for plaintiff has pressed his application u/o 6 R 17 CPC.

By virtue of the aforesaid application, plaintiff has sought amendment in para no. 12 of the plaint, as mentioned in the application.

Submissions heard. Record perused.

The present suit is filed for recovery of Rs. Twelve Lacs a/w interest.

Perusal of the amendment, sought by way of this application shows that the same is formal in nature. Also, the suit is at an initial stage and defendants are yet to be served. Thus, no prejudice is going to be caused to anyone in case the present application is allowed.

Therefore, in view of the reasons mentioned in the application as well as on the basis of submissions made by Ld. Counsel for plaintiff, **the application u/o 6 R 17 CPC is disposed of as allowed. Amended plaint be taken on record.**

At this stage, Ld. Counsel for plaintiff has also pressed the application u/o u/o 1 R 10 (2) CPC.

By way of application u/o 1 r 10 (2) CPC, plaintiff seeks to

implead proposed plaintiffs namely Ms. Payal Vedi, Ms. Neha Vedi, Sh. Vishu Vedi, Sh. Varun Vedi and Sh. Shubham Vedi as plaintiff no. 2 to 6, in the array of parties.

Ld. Counsel for plaintiff submits that due to inadvertence, oversight and lack of knowledge, the aforementioned proposed plaintiffs left to be made party to the present suit as plaintiff. It is further submitted that the proposed plaintiffs are the major legal heirs/children of Late Davinder, w.r.t. whom, plaintiff has filed the present suit and therefore, they are the necessary and proper party and their presence is essential for complete and effective adjudication of this matter.

As per Order 1 R 10 (2) CPC, the Court may at any stage of the proceedings, either upon or without the application of the either party, order that the name of any person who ought to have been joined, whether as a plaintiff or defendant or whose presence before the Court may be necessary to enable the court to adjudicate upon and settle all questions involved in the suit, be added.

In view of the aforesaid submissions as well as for the reasons mentioned in the application and also considering that the suit is at initial stage and defendants are yet to be served, this court is of the view that the proposed plaintiffs, being a necessary party, should be impleaded in the suit for just adjudication of the issues involved. **Accordingly, the application u/o 1 R 10 (2) CPC is disposed of as allowed. Proposed plaintiffs, Ms. Payal Vedi, Ms. Neha Vedi, Sh. Vishu Vedi, Sh. Varun Vedi and Sh. Shubham Ved are added in the array of plaintiffs as plaintiff no. 2 to 6, respectively.**

Amended memo of parties is taken on record.

Otherwise, the matter was fixed for consideration.

Submissions heard. Record perused.

Accordingly, issue summons of the suit to the

defendants on PF, returnable for 09.10.2025. Summons be served through the office of Ld. District & Sessions Judge concerned.

(Gaurav)
District Judge-01/ SHD
KKD/Delhi/05.06.2025_(ch)