

31 CS 135/19

NAURANGI Vs. TIRATH RAJ SINGH AND ANR

06.09.2025
AT 01:22 PM

Present: Sh. Rajneesh Kapoor, Ld. Counsel for plaintiff
along with son of plaintiff in person.
Sh. K.P. Sharma, Ld. counsels for D-1 and D-2
along with D-2 in person.

Reply to the application under Order XXII Rule 4
r/w Section 151 CPC filed on 01.09.2025. Copy already supplied.
Same has been acknowledged.

Ld. Counsel for proposed LR's of D-1 and D-2
submits that plaintiff in prayer of the application has wrongly
mentioned the name of the deceased as Bhagwati Prasad instead
of Tirath Raj Singh.

Ld. Counsel for plaintiff submits that inadvertently
the name of deceased Tirath Raj Singh has been mentioned as
Bhagwati Prasad in the prayer clause, however, the entire details
of deceased D-1 and his legal heirs have been correctly
mentioned in the application. He further submits that the prayer
clause be considered qua Tirath Raj Singh and the word
'Bhagwati Prasad i.e. defendant No.2' be treated as deleted in the
prayer clause.

Ld. Counsel for proposed LR's of D-1 and D-2 fairly
concedes that D-1 had expired on 24.05.2025 and the name of
LR's of D-1 mentioned in the application are correct.

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The present application was filed on 12.06.2025 i.e. well within limitation.

In view of the submissions, contentions made in the application and also considering that the right to be sued still survive against LRs of D-1, therefore, the proposed LRs mentioned in the application are substituted in the present suit and the present application is accordingly allowed,

Amended memo of parties taken on record.

Application is accordingly disposed of.

Put up for PE on 28.11.2025.

(Deepanker Mohan)
District Judge-04
Shahdara District/KKD Courts/Delhi
06.09.2025