

27.11.2025

Present: Sh. Rohit Aggarwal, Ld. Counsel for plaintiff.
Ms. Mradul Sharma, Ld. Counsel for defendants.
D2 stated to be expired.

An application under Order 22 Rule 4 CPC for bringing the LRs of deceased D2 on record alongwith amended memo of parties filed on 19.08.2025. Same be taken on record. Copy supplied.

During the course of hearing, Ld. Counsel for defendants undertakes to file Vakalatnama for proposed LR Sh. Rohit Sharma during the course of the day. She further submits that as per her information, the another proposed LR Ms. Shrishti Sharma is not residing at the given address as mentioned in the application. She also undertakes to provide the fresh and correct address of said proposed LR Ms. Shrishti Sharma within two days to the opposite counsel. Heard. Be supplied.

At this stage, Ld. Counsel for the defendants has filed copy of death certificate of D2. Same be taken on record. Copy be supplied to the opposite counsel within two days.

Perusal of the record shows that WS alongwith reply to the application under Order 39 Rule 1 and 2 CPC alongwith documents were filed by D1 on 02.06.2025. WS has not been filed within stipulated period.

Ld. Counsel for plaintiff fairly submits he does not have any objection to the delay in filing the WS and the same may be condoned. Heard.

In view of the submissions, the delay in filing WS is hereby condoned. WS of D1 is taken on record.

Replication, if any, be filed within 30 days with an advance copy to the opposite party.

In the meantime, let notice of the application under Order 22 Rule 4 CPC be issued to proposed LRs as mentioned in the application, on filing of PF, returnable for NDOH.

Matter is adjourned.

Put up for further proceedings on 04.04.2026. NDOH is given as per the convenience of Ld. Counsels for the parties.

(Gaurav)
District Judge-01/ SHD
KKD/Delhi/27.11.2025