

17 CS 1918/16
RAJ DULARI AND ORS Vs. JAGANNATH

26.10.2023

File received by way of transfer to this Court vide office order No.7089-94/Judl./Shd./KKD/2023 dated 01.09.2023 passed by the Ld. Principal District & Sessions Judge, Shahdara District, Karkardooma Courts, Delhi.

It be checked and registered.

At 11:09am

Present: None for the plaintiffs.
 None for the defendants.

Matter is listed for plaintiff evidence. No PW is present.

Court notice was issued to plaintiffs. Report qua plaintiff no.2 received back as served. Report qua plaintiff no.1 also received. As per report, the court noticed was received by the son of plaintiff no.1 and further submitted that plaintiff no.1 has expired on 13.09.2021.

Perusal of the record shows that the application under Order XXII Rule 3 R/W Section 151 CPC and application u/s 5 of Limitation Act for substitution of LR of plaintiff no.1 were already allowed on 28.03.2023.

Perusal of the record shows that till date no amended memo of parties has been filed on behalf of plaintiffs.

Plaintiffs are directed to file amended memo of parties on or before the NDOH.

Perusal of the record further shows that court notice was issued to plaintiff no.1 instead of LR of plaintiff no.1.

(2)

In the interest of justice, court notice be again issued to LR of plaintiff no.1 for the NDOH.

Plaintiffs are directed to pursue the present matter diligently and lead plaintiff evidence positively on the NDOH failing which PE shall be closed.

Put up for plaintiff evidence on 13.02.2024.

(Deepanker Mohan)
Additional District Judge-04
Shahdara District/KKD Courts/Delhi
26.10.2023