

CS NO.515/2018

Mohd. Irshad Khan Vs. Assad Hussain & Ors.

29.07.2024

AT 02:18 PM

File taken up on an application under Order XXII Rule 1,2 and 4 r/w Section 151 CPC for seeking permission to implead as defendant/party to one of the legal heirs of D-5 namely Zarifan (Now deceased).

Present: Mohd. Junaid, Ld. Counsel for the plaintiff through VC

An application under Order XXII Rule 1, 2 and 4 r/w Section 151 CPC for substituting the Lrs of D-5 along with amended memo of parties filed on 24.07.2024. The said application is accompanied with the application for condonation of delay.

As per the application, D-5 was expired on 29.11.2023 and therefore, the suit has already been abated qua defendant No.5.

Ld. Counsel for plaintiff submits that he wants to withdraw the present application with liberty to file the application for setting aside the order.

In view of the submissions, application under Order XXII Rule 1, 2 and 4 r.w Section 151 CPC is dismissed as withdrawn.

Application is accordingly disposed off.

Put up on the date already fixed i.e. 28.08.2024.

(Deepanker Mohan)

District Judge-04

Shahdara District/KKD Courts/Delhi

29.07.2024