

20 CS 2632/24
Mohd Gayyur Vs. Mohd Rizwan and Ors

01.07.2026

At 11:06am

Present: Sh. Atul Sharma, Ld. proxy counsels for Sh. Sandeep Tyagi, Ld. counsel for plaintiff through VC. Sh. Vishesh Kumar Raghav, Ld. counsel for proposed LR of D-1 through VC. Proposed LR (a), (b) and (d) of D-1 namely Kaushar, Mohd. Anas and Faizan are in person. None for D-2 to D-6. None for D-7.
D-8 was already deleted from the array of parties vide order dated 17.09.2025. Sh. Vinay Rathi, Ld. Counsel for DUSIB/D-9 through VC.

Fresh Vakalatnama filed on behalf of proposed LR of D-1. Same is taken on record.

Ld. counsel for proposed LR of defendant No.1, on instructions submits that proposed LR of defendant No.1 has no objection, if the application under Order XXII Rule 4 r/w Section 151 CPC be allowed and proposed LR of D-1 be substituted in the present suit.

D-1 had expired on 08.01.2026 and the present application has been filed on 03.02.2026 i.e. well within limitation.

(2)

In view of the submissions, contentions made in the application and considering the fact that right to be sued still survive against LRs of D-1 therefore, the present application under Order XXII Rule 4 r/w Section 151 CPC is hereby **allowed.**

LRS of D-1 are hereby substituted in the present case.

Application is accordingly disposed of.

Let fresh amended memo of parties be filed on or before NDOH with an advance copy to defendants.

LRS of D-1 as well as other defendants are directed to file reply to the application under Order XI Rule 12 and 14 r/w Section 151 CPC within 30 days with an advance copy to opposite side.

Put up for compliance and reply and arguments on the application under Order XI Rule 12 and 14 r/w Section 151 CPC on 09.09.2026.

Date is given as per the diaries of Ld. counsels.

**(Deepanker Mohan)
District Judge-04
Shahdara District/KKD Courts/Delhi
01.07.2026**