

CNR No. DLST01-002461-2026
T.P. C 17/26
RAMPHAL TOMAR
Vs.
KUSUM LATA DECEASED THROUGH LRS

09.04.2026

Present:- Applicant with Ms. Tejaswini Verma, Ld. Counsel.

Heard. Perused.

Comments of the Court of Ld. District Judge – 01, South District received.

On 13.03.2026, it was observed that in application filed under Section 151 CPC by applicant, there was mention that in *CS DJ No. 182/2019 titled “Kusum Lata & Ors. Vs. Ramphal Tomar”*, suit for possession and declaration ; one of the plaintiffs namely plaintiff no. 1 Kusum Lata expired on 12.03.2024 whereas her legal heirs have not been substituted in the Trial Court till date.

When a party to the *lis* ; more particularly one of the plaintiffs ; expires ; then in the event when case is to be proceeded ; the first and foremost step has to be either substitution of LRs of such a deceased plaintiff or abatement of suit with respect to said deceased plaintiff ; as the case may be, in accordance with established procedure on the anvil of fact of the matter.

Parties to the *lis* can invoke appropriate provisions of law for appropriate remedy in such an event.

Counsel for the applicant seeks adjournment as she wishes to take appropriate steps before the Trial Court on above facet.

Contd./-

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: 2 :

Copy of this order be also sent to the Trial Court.

Put up for consideration on 05.05.2026.

At this stage, Ld. Counsel for the applicant requests for change of date.

Date is changed to 18.05.2026 at the request of Ld. Counsel for the applicant.

The date earlier fixed 05.05.2026 stands canceled.

(Gurvinder Pal Singh)
Principal District & Sessions Judge (South)
Saket Courts, New Delhi *(nc)*