

CS No. 12708/16
Raj Singh & Anr. Vs. Om Parkash Lakra

03.10.2019

Present: Plaintiff in person with counsel Sh. S.P. Singh.

Defendant no. 1 is ex-parte.

None for LR of deceased defendant no. 2.

LRs of deceased defendant no. 3 absent despite service.

Ms. Charu Sehgal, counsel for defendant no. 4.

Today, counsel for plaintiff has filed death certificate of deceased Ram Kumar, LR of deceased defendant no. 3.

It is further submitted by counsel for plaintiff that LR of deceased defendant no. 3 were served and even after the death of Ram Kumar, one of LR of deceased defendant no. 3, other LR of deceased defendant no. 3 are party to the application. Accordingly, he has prayed that application U/o XXII Rule 4 CPC be allowed.

Today, counsel for defendant no. 4 has submitted that she has no objection to allowing the application U/o XXII Rule 4 CPC and she does not dispute the LR of defendant no. 3 and the death of Ram Kumar. Hence, application U/o XXII Rule 4 CPC filed by plaintiff is allowed and LR of deceased defendant no. 3 are taken on record except deceased Ram Kumar.

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Let plaintiff file on record afresh memo of parties.

Put up this case for PE on 30.01.2020.

Let plaintiff take steps for summoning of witnesses for evidence.

(Vikas Dhull)
ADJ-01, West, THC,
Delhi/03.10.2019