

Civ DJ 9041/16

GURMEET KAUR Vs. DEPAL SINGH ANR.

10.10.2023

Present: Sh. Sanjay Sahni, Ld. Counsel for plaintiff.

Sh. Rahul Singhal, Ld. Proxy Counsel for defendant no. 1.

Qua initial defendant no. 2, application u/o 22 Rule 4 CPC has been moved.

It is submitted that initial defendant no. 2 Smt. Manjit Kaur has passed away on 29.04.2021. Perusal of record shows that after getting the knowledge of death of defendant no. 2, application has been moved within the prescribed period. Death certificate qua the same is filed on record today on behalf of defendant no. 1.

As application has been moved within the prescribed period of limitation and right to sue survives against LRs of defendant no. 2, so said application is allowed.

Amended memo of parties has already been filed.

Perusal of record shows that one of the LRs of deceased defendant no. 2 is defendant no. 1. Remaining LRs have not appeared despite service.

Case is at the stage of PE, however, adjournment is being sought on behalf of defendant on the ground that Ld. Main Counsel is not available due to personal difficulty.

Put up for cross-examination of PW-1 as last and final opportunity on next date of hearing i.e. **06.12.2023**.

(Dharmender Singh)
Additional District Judge-01(West)
Tis Hazari Courts, Delhi/10.10.2023