

30.04.2022

Proceedings have been held by way of physical hearing.

Present: Sh. Gaurav Kumar, SPA of plaintiff.
Sh. A.S. Rajput, counsel for defendant nos. 1, 3, 4 & 5.
Sh. Hari Om Gupta, counsel for defendant no. 6.
None for defendant no. 7.

An application u/o 22 Rule 4 read with section 151 CPC for impleading Lrs of deceased defendant no. 2 / Mahesh Chand is pending.

On the last date i.e. 06.04.2022, counsel for plaintiff was directed to clearly tell the court about the number of LRs of defendant no. 2. He was also directed to file death certificate of defendant no. 2. But not a single step has been taken by the plaintiff.

In application, the number of Lrs is mentioned as three, whereas such number has been stated as five by counsel for the defendants. The date of death of defendant no. 2 mentioned in the application is 01.12.2018, but as per the death certificate furnished by the defendant's counsel, such date is 29.11.2018.

Due to these technical problems, the said application has not been pressed by SPA of plaintiff. That application is dismissed as withdrawn.

A fresh application u/o XXII Rule 4 read with section 151 CPC has been filed on behalf of plaintiff for impleading LRs of defendant no. 2. The counsel, who was earlier representing defendant no. 2, stated

Contd....2/-

- :2: -

that he would file vakalatnama for the proposed LR's on the next date and that he had no objection if the LR's of defendant no. 2 mentioned in the new application were impleaded.

In view of no objection given by counsel for proposed LR's, the application is allowed and following LR's of defendant no. 2 are impleaded:

- | | |
|--------------------------|------------|
| (a). Smt. Tulsha Devi | (Wife). |
| (b). Sh. Harminder Singh | (Son) |
| (c). Sh. Ravinder Singh | (Son) |
| (d). Sh. Raj Kumar | (Son) |
| (e). Ms. Lovely Rastogi | (Daughter) |

Put up for filing of amended memo of parties, filing of vakalatnama for newly impleaded LR's of defendant no. 2 and for framing of issues on **05.07.2022**.

(Umed Singh Grewal)
ADJ-02, WEST
30.04.2022