

Civ DJ 419/22

SH GURBIR SINGH Vs. JASMINE KAUR AND ORS

09.10.2024

Present: Sh. Kuljeet Rawal, Ld counsel for plaintiff.

Ms. Jasleen Kaur, Sister of defendant no. 1.

In this matter, one application u/o 22 Rule 3 CPC has been moved by LRs of plaintiff. Despite opportunity, reply of the same has not been filed by other side. In said application, it is submitted that plaintiff has passed away on 15.04.2024 and by way of present application, permission is sought by his LR namely Smt. Gurjit Kaur Chabra to implead her to pursue the present matter. In said application, it is submitted that there are only two legal heirs of plaintiff Gurbir Singh and another legal heir Gurpal Kaur (Wife). Smt. Gurpal Kaur has filed the affidavit whereby she has admitted that registered Will has been executed in favour of LR Smt. Gurjit Kaur and she has no objection if the present matter is pursued by Gurjit Kaur.

In view of the fact that application has been moved within the period of limitation and right to sue survives in favour of LRs and one of the LRs has no objection if the matter is pursued by LR Ms. Gurjit Kaur. Accordingly, application is allowed. Amended memo of parties has also been filed on record.

Matter be put up for PE on 15.01.2025.

(Dharmender Singh)
District Judge-01(West)
Tis Hazari Courts, Delhi/09.10.2024