

13.05.2024

Present: Sh. Vikas, Ld counsel for the plaintiff.  
Ms Priyanka, Ld proxy counsel for the defendant.

No reply of application under order 22 rule 3 CPC has been filed on behalf of the defendant.

Ld proxy counsel submits that the main counsel has no objection, if the present application is allowed.

As per averments made in the application, the plaintiff has expired on 02.12.2023, leaving behind her husband and one son and one daughter. The application has been filed on 26.02.2024 which is within period of limitation. The legal heirs sought to be impleaded on behalf of the plaintiff are class-I legal heirs of the deceased plaintiff and right to sue survives in their favour.

In view of the abovesaid facts, the application of the plaintiff is allowed and the legal heirs mentioned in the application are impleaded as legal representative of the deceased plaintiff to pursue the present suit.

Plaintiff is directed to file amended memo of parties.

Ld counsel for the defendant submits that she has not been supplied legible copy of the document as well as photographs. Ld counsel for the plaintiff is directed to supply the same within five days and thereafter, defendant is allowed to file written statement within 30 days with advance copy to ld counsel for the plaintiff.

Put up on **27.08.2024** for completion of pleadings, for filing affidavit for admission/denial of documents and for framing of issues.

(SHIV KUMAR)  
District Judge-02, Court no.127,  
West Distt, Tis Hazari courts  
Delhi 13.05.2024