

Civ DJ 12/25
KIRAN Vs. POOJA

05.09.2026

Present: Sh. Chandra Shekhar Azad, Ld. counsel for plaintiff.
Sh. Sudhanshu Singh, Ld. counsel for proposed defendant
Mahesh (through VC).
Sh. Abhishek Jha, Ld. counsel for defendant no.2 (through
VC).

1. Matter is listed for reply and arguments on application u/o I Rule 10 CPC.
2. Ld. counsel for proposed defendants submits that there is no requirement to file any written reply to the application. Ld. counsel for proposed defendants submits that he does not have any objection in case the application is allowed.
3. Ld. counsel for defendant no.1 and 2 has submitted that since the defendant no. 1 and 2 have already sold the suit property to the proposed defendant, there is no role for defendant no.1 and 2 in the present suit. Ld. counsel for defendant no.1 and 2 also submits that the defendants do not have any objection to the application filed u/o I Rule 10 CPC.
4. Ld. counsel for plaintiff submits that plaintiff has filed the present application as defendant no. 1 and 2 has mentioned in the written statement that they have sold the suit property to the proposed defendant no.3. The defendant no.3 has become necessary party to the suit now.

5. Submissions heard.

6. Considering that the defendant no.1 and 2 have averred in the written statement that they have sold the suit property through sale documents filed alongwith written statement to the defendant no.3, the defendant no.3 becomes a necessary party. Therefore, the application is allowed. Defendant no.3 is impleaded as party in the present suit. The amended memo of parties is already on record.

7. Ld. counsel for plaintiff submits that he needs one opportunity to move application u/o VI Rule 17 CPC to amend the pleadings. Considering the same, matter is adjourned for today. In case, the application is filed on behalf of plaintiff advance copy of same be supplied to Ld. counsel for defendants who are at liberty to file reply to the same with advance copy to other side.

8. Now to come up for consideration on application and further proceedings on 28.11.2026.

(Sunil Choudhary)
District Judge-01(West)
Tis Hazari Courts, Delhi/05.09.2026