



\$~44

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CS(COMM) 85/2019**

**KISHAN CHAND GUPTA (DECEASED) TRADING AS O.K.
MASALA COMPANY THROUGH HIS LRSPlaintiffs**
Through: Mr. S.S Dahiya, Advocate for LR-1.

versus

KAMLESH TEA ESTATE PVT. LTD.Defendant
Through: Mr. Pankaj Kumar, Advocate.

**CORAM:
HON'BLE MS. JUSTICE JYOTI SINGH**

ORDER
09.02.2026

%

I.A. 3556/2026

1. This application is filed on behalf of legal representative No.1 of the Plaintiff under Section 5 read with Section 14 of Limitation Act, 1963 and Section 151 CPC for condoning the delay of 2257 days in filing the application for modification of order dated 29.11.2019.

2. Issue notice.

3. Mr. Pankaj Kumar, learned counsel accepts notice on behalf of Defendant.

4. Let notice be issued to the legal representatives No.2 to 7 of the deceased Plaintiff, through all permissible modes, returnable on 02.03.2026.

I.A. 3555/2026

5. This application is filed on behalf of Plaintiff's legal representative No.1 for direction to the other legal representatives of the Plaintiff to deposit



the Local Commissioner's fee in Court in the proportionate ratio of their interests of share or for a direction for recording of evidence by the concerned Joint Registrar.

6. In my view, the first prayer sought is purely in the domain of legal representatives, in which Court can have no role. However, on the alternate prayer for having the evidence recorded by learned Joint Registrar, limited notice be issued to the other legal representatives of the Plaintiff as also the Defendant.

7. Mr. Pankaj Kumar, learned counsel accepts notice on behalf of Defendant.

8. Let notice be issued to the legal representatives No.2 to 7 of the deceased Plaintiff, through all permissible modes, returnable on 02.03.2026.

JYOTI SINGH, J

FEBRUARY 9, 2026/AK