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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(OS) 417/2022**

RAJ PAL JAIN

.....Plaintiff

Through: Mr. Rishi K. Awasthi, Mr. Piyush
Vatsa & Mr. Rahul Kumar Gupta,
Advocates for proposed LR's of
plaintiff.

versus

VED PRAKASH JAIN

.....Defendant

Through: Mr. Akshit Sachdeva, Adv. for D-1
& D-2.

None for LR's of D-5.

D-3, 4, 6 and 7 are yet to be
served.

D-8/Standard Chartered Bank was
deleted from array of parties vide
order dated 10.11.2022.

CORAM:

**JOINT REGISTRAR (JUDICIAL) SH. DEVENDER
KUMAR GARG (DHJS)**

ORDER
12.01.2024

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**I.A. No.16073/2022 (by defendants no.1 & 2 u/O VII Rule
11(a) & (d) & 151 of CPC)**

1. It is submitted that the captioned IA is coming up for
hearing before the Hon'ble Court on 18.03.2024.

**I.A. No. 15506/2023 (u/O XXII Rule 3 r/w Section 151 of
CPC for impleadment of legal heirs of plaintiff).**

2. Ld. Counsel for defendants no.1 and 2 already submitted
that they did not wish to file any reply to the captioned IA
and have no objection if the same is allowed.



3. Ld. Counsel for plaintiff has submitted that the plaintiff has expired on 03.05.2023 and right to sue survives in favour of LR's of the deceased plaintiff, whose details is given in para 4 of the captioned IA. He has further submitted that LR's of plaintiff as mentioned in para no.4 of the captioned IA may be impleaded in the present matter.
4. Heard. Record perused. Copy of death certificate of the plaintiff is on record, as per which, the plaintiff had expired on 03.05.2023. Right to sue survives in favour of LR's of deceased plaintiff, whose details is given in para 4 of the captioned IA. In the present facts, LR's of deceased plaintiff mentioned in para no.4 of the captioned IA are impleaded as LR's of the plaintiff.
5. The captioned IA stands disposed off accordingly.

I.A. No. 24082/2023 (by proposed LR's of plaintiff u/S 151 of CPC seeking permission to file amended memo of parties)

6. Ld. Counsel for defendants no.1 and 2 already submitted that they did not wish to file any reply to the captioned IA and have no objection if the same is allowed.
7. Heard. IA No.15506/2023 for impleadment of LR's of the plaintiff has been allowed today. In view of the same, the present application also stands allowed and amended memo of parties filed alongwith the captioned IA is taken on record.
8. The captioned IA stands disposed off accordingly.

CS(OS) 417/2022 & I.A. No. 11265/2022 (by plaintiff u/O XXXIX Rules 1 & 2 of CPC)

9. Application for impleadment of LR's of plaintiff has been allowed and amended memo of parties is taken on record.



10. Written statement and affidavit of admission/denial of documents already filed on behalf of the defendants no.1 and 2.
11. No replication and affidavit of admission/denial has been filed on behalf of plaintiff qua defendants no.1 and 2.
12. Ld. Counsel for defendants no.1 and 2 already submitted that he did not wish to file any reply to the captioned IA.
13. No written statement, affidavit of admission/denial and reply to the captioned IA has been filed on behalf of both LRs of defendant no.5.
14. At request of Ld. Counsel for LRs of plaintiff, issue summons of suit and notice of the captioned IA to the defendants no.3, 4, 6 and 7 through all permissible modes for next date of hearing.
15. Let the pleadings be completed as per law.
16. Re-notify the matter and captioned IA for completion of pleadings and further proceedings on **27th February, 2024.**

DEVENDER KUMAR GARG (DHJS)
JOINT REGISTRAR (JUDICIAL)

JANUARY 12, 2024/v

Click here to check corrigendum, if any