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

+ **CS(OS) 307/2015**

RAGHUVINDER SINGH

..... Plaintiff

Through: Mr. B. Badrinath & Mr. Dhruv
Bhardwaj, Advs.

versus

SUKHVIR SINGH & ORS

..... Defendant

Through: Mr. Arpit Bhargava, Ms. Hina
Bhargava & Ms. Sania Yusuf,
Advs. for D-1, LRs of D-2, D-3
all LRs except LR no.(ii) of D-9
and D-10 to 15 (Mob. No.
9871316969).

Mr. Kamod Yadav, Adv. for D-4
to 8 (appeared through VC).

Mr. Lovenish Mandiratta, Adv.
for applicant in IA No.13294/
2022 and 13295/2022.

Mr. Dheeraj K. Garg, Adv. for
applicant in IA No. 20/2018 &
24064/2015 (M. 9968443127)
(appeared through VC)

Ms. Sushila & Mr. Ashish, Advs.
for applicant in IA No.2461/2022

CORAM:

**JOINT REGISTRAR (JUDICIAL) SH. MANISH
SHARMA, (DHJS)**

ORDER
26.09.2024

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IA No. 2455/2015 u/O XXXIX R.1 & 2 CPC by plaintiff

1. Right of defendants to file reply to the captioned IA is
already closed.



IA No. 20458/2015 u/O VII R.11 CPC by defendant no.2)

2. Right of defendants to file reply to the captioned IA is already closed.

IA No. 24064/2015 u/O I R.10 CPC by Smt. Chander Mukhi)

3. Reply of defendant no.9 & 10 is on record.
4. As per office note, reply to the captioned IA filed on behalf of defendant no.1, 3 and defendant no.11 to 15 has been returned under objection. Let appropriate steps be taken to have the same placed on record.
5. Let reply to the captioned IA be filed by the remaining non-applicants within two weeks with advance copy to the opposite side.
6. Let the pleadings be completed as per law.

IA No. 20/2018 u/O XXII R.3 r/w Order I R.10 (2) CPC for substitution of Ms. Kamal Kumari Gulia in place of late Smt. Chander Mukhi in IA No. 24064/2015)

7. Reply to the captioned IA has already been filed by the plaintiff.
8. As per office note, reply to the captioned IA filed on behalf of defendant no.1, LRs of defendant no.2 & 3, LRs of defendant no.9 and defendant no.10 to 15 has been returned under objection. Let appropriate steps be taken to have the same placed on record.
9. Let reply to the captioned IA be filed by the remaining non-applicants within two weeks with advance copy to the opposite side.
10. Let the pleadings be completed as per law.

IA No. 2461/2022 u/O I R.10 CPC by Supreme Infrastructure)



11.Reply to the captioned IA has already been filed on behalf of the plaintiff.

12.Right of defendants to file reply to the captioned IA is already closed.

13.Re-notify the captioned IA for consideration on the next date of hearing.

IA No. 13294/2022 u/O I R.10 CPC by Smt. Gyanwati

14.Reply of plaintiff is on record.

15.Learned counsel for plaintiff had made a submission on 17/05/2024 that he has already settled the dispute with the applicant Ms. Gyanwati.

16.Re-notify the captioned IA for consideration on the next date of hearing.

IA No. 13295/2022 u/O I R.10 CPC by Ms. Rajni

17.Learned counsel for plaintiff had made a submission on 17/05/2024 that he has already settled the dispute with the applicant Ms. Rajni.

18.Re-notify the captioned IA for consideration on the next date of hearing.

IA No. 18388/2022 u/O XXII R.4 CPC for bringing on record the legal heirs of defendant no.2)

19.As per office note, reply to the captioned IA has been filed on behalf of defendant no.1, LRs of defendant no.2, defendant no.3, LRs of defendant no.9 and defendant no.10 to 15.

20.Learned counsel for defendant no.1, LRs of defendant no.2, defendant no.3, LRs of defendant no.9 and defendant no.10 to 15 as well as learned counsel for defendant no.4 submit that they have no objection, if



the captioned IA is allowed.

21.Arguments heard. Record perused.

22.It is averred in the captioned IA that the defendant no.2 passed away on 08/02/2021 leaving behind the following legal heirs i.e.

(i) Smt. Raj Dulari – wife

(ii) Sh. Rajender Singh – son

(iii)Sh. Sukhvir Singh – son (already defendant no.1)

(iv)Sh. Vikram Sheel – son (already defendant no.3)

(v)Smt. Sunila – daughter

(vi)Smt. Saroj Bala – daughter

(vii)Smt. Subodh Maurya – daughter

(viii)Smt. Indumati - daughter

23.The captioned IA has been filed on behalf of the plaintiff on 01/11/2022. Learned counsel for plaintiff orally requests for condonation of delay in filing the captioned IA.

24.Learned counsel for defendant no.1, LRs of defendant no.2, defendant no.3, LRs of defendant no.9 and defendant no.10 to 15 as well as learned counsel for defendant no.4 submit that they have no objection, if delay in filing the captioned IA is condoned.

25.In view of the above, delay in filing the captioned IA is condoned.

26.After the death of the defendant no.2, right to sue survives in favour of the plaintiff and against the LRs of defendant no.2.

27.In view thereof, the captioned IA is allowed. LRs of defendant no.2 are brought on record.

28.Let amended memo of parties, if not filed earlier, be



filed within two weeks.

29.IA stands disposed of.

IA No. 18389/2022 u/O XXII R.4 CPC for bringing on record the legal heirs of defendant no.9)

30.As per office note, reply to the captioned IA filed on behalf of defendant no.1, LRs of defendant no.2 & 3, LRs of defendant no.9 and defendant no.10 to 15 has been returned under objection. Let appropriate steps be taken to have the same placed on record.

31.Perusal of record shows that LR No.(ii)/Smt. Rajini of defendant no.9 is yet to be served with the notice of the captioned IA.

32.Accordingly, issue notice of the captioned IA to LR No.(ii)/Smt. Rajini of defendant no.9, through all permissible modes, returnable on 26th November, 2024.

IA No.6796/2023 u/O XXIII R.3 CPC filed on behalf of the plaintiff to record compromise qua defendant nos.1 to 3 and 9 to 15)

33.Reply of defendant no.1, 3, 9 to 15 is on record.

34.Let the pleadings be completed as per law.

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35.As per office note, vakalatnama has been filed on behalf of the plaintiff.

36.Re-notify the matter for completion of pleadings/consideration on the captioned IAs on 26th November, 2024.

MANISH SHARMA, (DHJS)
JOINT REGISTRAR (JUDICIAL)
SEPTEMBER 26, 2024/nk
[Click here to check corrigendum, if any](#)