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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CS(OS) 404/2010 & I.A.Nos.2876/2010, 10793/2015, 4980/2018
MADHU SHARMA (SINCE DECEASED) THR. L.RS. AND
OTHERS Plaintiffs
Through Mr.Pravir K.Jain, Advocate.

versus

SURESH KAUSHIK AND OTHERS Defendants
Through Ms.Anusueya, Advocate.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

% **12.10.2018**

I.A.No.14911/2016

Present application has been filed on behalf of the plaintiffs under Order VI Rule 17 CPC for amendment of the plaint.

Ms.Anusueya, learned counsel for the defendants states that the arguing counsel Mr.R.K.Modi is suffering from cervical pain.

A perusal of the order sheets reveals that the present case was last heard on 22nd August, 2017. Consequently, the prayer for adjournment is declined.

In any event, this Court finds that by way of present amendment application, the plaintiffs are only adding certain properties which are in the name of the family members.

Consequently, without prejudice to the rights and contentions of the parties, the present application is allowed and the plaintiffs are permitted to incorporate the new added properties in the prayer clause also.



The defendants are permitted to take all their pleas and defences in the amended written statement.

Accordingly, the present application stands disposed of.

CS(OS) No.404/2010

Learned counsel for the plaintiffs is directed to file the amended plaint within a period of two weeks. The defendants are permitted to file the amended written statement within a period of four weeks thereafter. Replication, if any, be filed before the next date of hearing.

List the matter before the Joint Registrar on 18th December, 2018.

MANMOHAN, J

**OCTOBER 12, 2018
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