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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(OS) 464/2019**
UMESH CHANDER SHARMA & ANR.

.....Plaintiff

Through: Mr. Ankit Gupta, Adv.

versus

NARESH SHARMA & ORS

.....Defendant

Through: Mr. Saurabh Mishra, Adv. for D-1
Ms. Jyoti, Adv. for D-2
Mr. Raghav, Adv. for D-4 & LR
No.(i) & (iii) of D-3
LR No.(ii) of D-3 through VC.
None for D-5

CORAM:
JOINT REGISTRAR (JUDICIAL) MS. JYOTI KLER (DHJS)

ORDER
% **18.01.2022**

Court hearing convened via video conferencing on account of Covid-19

I.A. 16709/2021 (under Order XXII Rule 4 read with Section 151 CPC on behalf of the plaintiffs for impleading the LR's of defendant no.3 /Yogesh Sharma)

1. It is submitted that the matter is coming up before the Hon'ble Court on 23/03/2022 (*as per adjourned en bloc dates*).
2. File is taken up on listing of the captioned IA.



3. Learned counsel for the defendant no.1, 2, LRs No.(i) & (iii) of D-3 and defendant no.4 submit that they have no objection in case the captioned IA is allowed.
4. LR No. (ii) of defendant no.3 also submits that he has no objection, if the captioned IA is allowed.
5. There is no appearance on behalf of the defendant no.5 today and no reply has been filed by him despite opportunity. Right closed.
6. Arguments heard.
7. It is averred that the defendant no.3 expired on 03/04/2021 and has left behind three Class-I legal representatives i.e. wife, a son and a daughter. Details of legal representatives of the defendant no.3 are given in para no.2 of the application.
8. This is a suit for partition of the immovable property and right to sue survives against the legal representatives of the defendant no.3. The application has been filed within the limitation period in view of directions of the Hon'ble Apex Court in **Re: Cognizance for Extension of Limitation; Suo Motu WP(C) No.3/2020**.
9. Considering the aforesaid, the application is allowed and legal representatives of the defendant no.3 are impleaded.
10. Let the amended memo of parties be filed accordingly within two weeks.
11. IA stands disposed off.

JYOTI KLER (DHJS)
JOINT REGISTRAR (JUDICIAL)

JANUARY 18, 2022/nk

[Click here to check corrigendum, if any](#)