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

+ **CS(OS) 543/2012**

AMARJEET SINGH GUJRAL

..... Plaintiff

Through: Mrs. Kanchan Kaur Dhodhi,
Adv. (Mobile No. 9811031769 &
Email add kanchan@dhodi.com

versus

JUNG BAHADUR SINGH GUJRAL & ORS

..... Defendant

Through: Mr. Ajay Kumar Tandon, Adv.
for D-1, 3 & LRs of D-2
Mr. Ajay Kumar, Adv. for D-5, 6
& LRs of D-7
Mr. Gaurav Raghav, Adv. for D-9
(appeared through VC)

CORAM:

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

ORDER

10.03.2025

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**IA No.1181/2022 under Order XXII Rule 2&4 CPC
moved by plaintiff to substitute the LRs of deceased
defendant no.2 i.e. defendant no.3, plaintiff, defendant
no.5 and 6, who are already on record in place of
deceased defendant no.2)**

**IA no.11321/2022 (under Order XXII Rule 4 and
Section 151 CPC moved by Master Paramveer Singh
Gujral, stated to be sole LR of deceased defendant no.2
for his impleadment in place of deceased defendant
no.2)**

1. As per office note, nothing fresh has been filed.
2. Reply to IA No.1181/2022 has already been filed on



behalf of defendant nos.1, 3, 5 & 6.

3. Reply to the captioned IA not filed by the remaining defendants.
4. The plaintiff has moved application bearing IA No.1181/2021. It is averred in the application that the defendant no.2/Mrs. Surjit Kaur Gujral passed away on 11/08/2021 leaving behind two legal heirs i.e.
 - (i) Mr. Inderejit Singh Gujral – son [already defendant no.3]
 - (ii) Mr. Amarjeet Singh Gujral – son [already plaintiff]
 - (iii) Mrs. Kamlesh Patheja – daughter [already defendant no.5]
 - (iv) Mrs. Sugeet Kumar Sobti – daughter [already defendant no.6]
5. The applicant/Paramveer Singh Gujral has also filed an application bearing IA No.11321/2022 seeking his impleadment as LR of defendant no.2. It is averred in IA No.11321/2022 that the defendant no.2 (who is grandmother of the applicant/Paramveer Singh Gujral) passed away on 11/08/2021 leaving behind one Will dated 05/06/2015 in respect of her share in the suit property in favour of the applicant. It is averred that after the death of defendant no.2, right to sue survives in favour of the applicant only and he alone is liable to be impleaded as LR of defendant no.2.
6. Learned counsel for the applicant/Paramveer Singh Gujral submits that at the time of filing of the application bearing IA No.11321/2022, the applicant was minor and now he has attained majority.
7. Arguments heard. Record perused.



8. Perusal of record shows that plaintiff and defendant no.1, who are the legal representatives of the defendant no.2 are already parties to the present suit. The applicant/Paramveer Singh Gujral, who is son of defendant no.1, is seeking his impleadment as LR of defendant no.2 on the basis of Will dated 05/06/2015.
9. In view of the averments made in the aforesaid applications, the captioned IAs stand disposed of. Mr. Paramveer Singh Gujral is impleaded as LR of the defendant no.2 on the basis of Will dated 05/06/2015. However, it is made clear that this Court refrains from making any comment on the genuineness of the Will, which is yet to get probated.
10. Both the IAs stand disposed of.

I.A.No.11297/2012 (under Order III Rule 2, Order IV Rule 1, Order VI Rule 14, Order VII Rule 11 & Section 151 CPC filed on behalf of defendant nos.1 to 6)

11. Reply to the captioned IA has already been filed on behalf of plaintiff.
12. No rejoinder has been filed.
13. Right to file rejoinder is closed.

I.A.No.9133/2013 (under Order VI Rule 17 CPC filed on behalf of the plaintiff for amendment in the plaint)

14. Reply to the captioned IA has already been filed on behalf of defendant no.1 to 3. Rejoinder thereto has also been filed on behalf of the plaintiff.
15. Reply to the captioned IA has not been filed on behalf of the remaining defendants. Accordingly, their right to file reply is closed.

I.A.No.4460/2017 (under Order VI Rule 17 CPC filed on behalf of the defendant nos.1 to 3 seeking amendment of their written statement dated



25/05/2012)

16.Reply to the captioned IA has already been filed on behalf of plaintiff and also on behalf of defendant no.7, 8 & 9.

17.Defendant nos.1 to 3 has also filed rejoinder to the reply filed on behalf of defendant no.7 to 9.

I.A.No.7934/2017 (under Order VI Rule 17 CPC filed on behalf of the defendant no.5 seeking amendment of their written statement dated 06/07/2012)

18.Reply to the captioned IA has already been filed on behalf of plaintiff and defendant no.8.

I.A.No.7935/2017 (under Order VI Rule 17 CPC filed on behalf of the defendant no.6 seeking amendment of their written statement dated 03/07/2012)

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

I.A.No.16641/2018 (under Section 39 Rule 2-A r/w Section 151 CPC, 2b, Section 11 & 12 of Contempt of Courts Act, 1971 filed on behalf of the plaintiff)

20.No reply to the captioned IA has been filed.

I.A.No.6403/2019 (under Section 151 CPC filed on behalf of defendant no.8 for release of rent to defendant no.8 in respect of suit schedule property)

21.Reply to the captioned IA has already been filed on behalf of defendant nos.1 & 2.

I.A.No.6404/2019 (under Section 151 CPC filed on behalf of defendant no.7 for release of rent to defendant no.7 in respect of suit schedule property)

22.Reply to the captioned IA has already been filed on behalf of defendant nos.1 & 2.

I.A.No.6405/2019 (under Section 151 CPC filed on behalf of plaintiff for release of rent to plaintiff in



respect of suit schedule property)

23. Reply to the captioned IA has already been filed on behalf of defendant nos.1 & 2.

I.A.No.15044/2019 (under Section 5 of Limitation Act r/w Section 151 CPC filed on behalf of the defendant nos.1 & 2 for condonation of delay in filing replies to applications for release of rent to the plaintiff and defendant no.7 to 9 in respect of the suit property)

24. No reply to the captioned IA has been filed.

25. Learned counsels for the parties submit that the matter may be placed before the Hon'ble Court and they will make appropriate submissions before the Hon'ble Court.

26. At joint request, list the matter before the Hon'ble Court for further directions on **28th April, 2025**.

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

MARCH 10, 2025/nk

Click here to check corrigendum, if any