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

+ **CS(OS) 768/2022 & I.A. 20758/2022, I.A. 15923/2023, I.A. 19968/2023, I.A. 8007/2024, I.A. 8008/2024**

SHRI NAVEEN MAHAJAN

.....Plaintiff

Through: Mr. Kunal Kalra, Advocate

versus

SMT SUDERSHAN RANI & ORS.

.....Defendants

Through: Mr. Navit Bansal, Advocate (though VC)

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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25.11.2024

CS(OS) 768/2022 and I.A. 19968/2023(application on behalf of plaintiff for amendment Under Order VI Rule 17 CPC)

1. Learned counsel for non-applicant/defendant no. 2, Shri Rajiv Mahajan states that by way of I.A. No. 19968/2023, the plaintiff is seeking to amend the plaint to challenge the Will dated 09.12.2016 executed by late Smt. Sudershan Rani.

2. He states that since as per the bequest made in the Will, the property bearing no. B-25 A/5, Second Floor, Ramesh Nagar, New Delhi [which is one of the properties in question] has been bequeathed to Shri Paras Mahajan, who is the son of Shri Rajiv Mahajan (defendant no. 2) and grandson of late Smt. Sudarshan Rani He states that, therefore, said legatee i.e. Shri Paras Mahajan is a proper and necessary party and before proceeding further in the hearing of this application it is prayed that Shri



Paras Mahajan ought to be impleaded in the present case.

3. In reply, learned counsel for the applicant/plaintiff states that without prejudice to his rights and contentions he has no objection if Shri Paras Mahajan is arrayed as defendant no. 5.

4. Accordingly, in view of the aforesaid submissions made by the parties Shri Paras Mahajan, son of Shri Rajiv Mahajan is arrayed as defendant no. 5.

5. Learned counsel for the applicant/plaintiff is directed to file an amended memo of parties within a period of two (2) weeks.

6. Issue summons. Mr. Navit Bansal, Advocate states that he has instructions to accept summons on behalf of Shri Paras Mahajan.

7. Mr. Navit Bansal, Advocate accepts summons and states he will file his vakalatnama within a period of one week from today and will file reply as well to all pending applications within a period of four (4) weeks from today.

8. At this stage, the newly impleaded defendant no. 5 is not being directed to file the written statement. The appropriate directions will be issued after determination of the I.A. 19968/2023.

9. List on 28.11.2024.

MANMEET PRITAM SINGH ARORA, J

NOVEMBER 25, 2024/mt/ms

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