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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CS(OS) 1181/2005 and IA No. 9090/2014 (u/S 33/35 of Indian Stamp Act) and IA No. 24187/2015 (for directions) and IA No. 6747/2016 (for directions) and IA No. 8081/2018 (u/O XXXIX Rule 2A CPC) and IA No. 11789/2018 (for seeking dismissal of suit) and IA No. 12216/2018 (u/O XXII Rules 1 and 2 CPC)

M/S AKN DEVELOPERS P. LTD. & ANR Plaintiffs

Through: Mr. Swastik Singh and Mr. Rewant Chandna, Advocates appeared physically

versus

MOHINDER KEHAR Defendant

Through: Mr. Vidit Gupta and Mr. Chetan Singh, Advocates appeared physically
Mr. Sukant Vikram, Advocate for applicants in IA No. 17230/2018 and IA No. 9606/2019 (M: 9717062602)
(email: officeofsukantvikaram@gmail.com)

CORAM:

JOINT REGISTRAR (JUDICIAL) MS. TYAGITA SINGH, (DHJS)

ORDER

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19.10.2022

Matter is taken up through physical hearing as well as video conferencing.

IA No. 5407/2022 (application filed by the plaintiffs u/O XXII Rule IV CPC to bring on record the LRs of deceased defendant)

This application has been filed by the plaintiff for impleadment of four LRs of deceased defendant, namely (a) Mrs. Meera Kehar(wife), (b) Mrs. Archana Sharma (daughter), (c) Ms. Ritu Kehar (daughter) and (d) Mr. Amit Kehar (son) as per the details mentioned in para 8 of the application.

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It is stated by learned counsel for the plaintiff that defendant Sh. Mohinder Kehar had expired on 10.04.2020, but plaintiff came to know about the death of defendant on 04.04.2022 and this application was filed on 05.04.2022 and there is no delay in filing application.

Learned counsel for LR's of deceased defendant has stated that he has no objection if the application is allowed.

Copy of the death certificate of defendant is on record alongwith IA No. 11185/2022, but it is illegible. Learned counsel for LR's of deceased defendant is directed to file legible copy of death certificate of defendant on record within two weeks.

In view of the above stated submissions, the application is allowed and abovestated LR's of deceased defendant are impleaded as necessary and proper parties to the suit as defendant nos. 1(A) to 1(D). Amended Memo of Parties is already on record. The concerned official of the Registry is directed to affix the Amended Memo of Parties at the front of the file.

IA stands disposed off.

IA No. 17230/2018 (u/O I Rule 10 CPC for impleadment M/s. Skyland Builders Pvt. Ltd.)

And

IA No. 9606/2019 (u/O XXII Rule 10 r/w Rule 10 r/w Section 146 & 151 CPC)

Learned counsel for the applicant has stated that pleadings are complete in both IAs.



**IA No. 11185/2022 (application filed by the applicant Sh. Praveen Jain
u/O XXII Rule 4 & 10 CPC r/w Section 151 CPC)**

This application has been filed jointly by LR's of deceased defendant and the applicant/subsequent purchaser Mr. Praveen Jain.

Reply not filed by the plaintiff.

Put up for arguments on the above three IAs on 14th December, 2022 at 12:30 PM.

**TYAGITA SINGH, (DHJS)
JOINT REGISTRAR (JUDICIAL)**

OCTOBER 19, 2022
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