



\$~15

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

+ **CS(OS) 2170/2006**

KUMARI SEHEJ GUPTA & ANR. Plaintiffs

Through: Mr. Jagdev Singh with Mr. K. S. Negi &
Mr Sachin Saini, Advs

versus

SHRI M.L. GUPTA & ORS. Defendants

Through: Mr. Amit P. Deshpande, Adv.

CORAM:

**SH. RAJ KUMAR TRIPATHI (DHJS), JOINT REGISTRAR
(JUDICIAL)**

ORDER

% **14.05.2018**

**IA No. 3598/2018 (u/O XXII Rule 4 r/w Section 151 CPC filed by
plaintiffs for seeking substitution of LRs of deceased defendant
No.2)**

Defendant No.2- Late Smt Usha Gupta is reported to have expired on 05.10.2017, leaving behind the LRs as mentioned in para No. 3 of the IA who are already impleaded as defendant Nos. 3, 4 & 5 in their own capacity.

In view of the same, the instant IA preferred by plaintiffs is hereby allowed. The LRs of defendant No.2, who are already defendants 3 to 5 in their independent capacity are directed to be impleaded as LRs of deceased defendant No.2.

Amended Memo of Parties filed by plaintiffs alongwith IA is taken on record.

IA stands disposed of.



CS(OS) 2170/2006

PW R. K. Saini, Senior Technical Assistant from O/o Registrar of Companies, New Delhi present. He submits that details of the documents to be produced by the office not provided by plaintiffs therefore, the summoned record could not be produced. In these circumstances, the witness is discharged. Diet money of Rs 500/- paid to witness.

Plaintiffs are directed to move appropriate application giving details of the documents which are to be produced by the department concerned. On taking of necessary steps by the plaintiffs, summons be issued to concerned official for the next date of hearing.

PW- Subash Chand, authorized official from Income Tax Department, Circle-19 (1), CR Building, IP Estate, New Delhi present. He has not brought the summoned record. He submits that the records summoned by plaintiffs are not available in his office and they may be available in Circle 23 (1). In view of the same, he is discharged. Diet money of Rs 500/- paid to witness.

Plaintiffs are directed to summon the concerned official from the relevant place where the documents are reportedly available.

PW3-SI Ajeet Kumar, PW4-Mr. Surya Prakash Sharma, PW5-Mr. B. S. Pathania, PW6-Ms. Kusum Lata and PW7-Mr. Milind Gangaram Gosavi are present. They are examined, cross examined and discharged. Diet money paid to witnesses in the Court. No other PW present.



List the matter for remaining plaintiffs' evidence on the date already fixed in the case i.e. on 15.05.2018.

**SH. RAJ KUMAR TRIPATHI (DHJS)
JOINT REGISTRAR (JUDICIAL)**

MAY 14, 2018
sk