



\$~OS-32

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS (OS) 915/2009**
SHRI SHIVRAJ GUPTA AND ANOTHER

..... Plaintiff

Through: Mr. Ankur Mahindro, Mr. Shrath
Choudhary, Ms. Megha Agarwal &
Mt/ Aditya Kapur, Advocate

versus

HANSRAJ GUPTA & CO. PVT. LTD.

..... Defendant

Through: Mr. Soham Kumar & Ms. Prarthana
Singhania, Advocate.

CORAM:
HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER
30.05.2022

%

IA No. 4923/2022

1. The present application has been filed on behalf of the plaintiff No.2/applicant Sh. Jayant Nath, claiming that the right to sue survives in favour of plaintiff no. 2 alone, he may be permitted to proceed with the present suit.
2. It is submitted that plaintiff no.1 Shri Shiv Raj Gupta died on 02nd May, 2021 and is survived by three class-I legal heirs i.e. his son Mr. Jayant Gupta/applicant/plaintiff no. 2 and two daughters Mrs. Arti Kirloskar and Mrs. Avanti Pandit. The deceased has left a registered Will dated 25th September, 2007 and an unregistered Addendum dated 13th March, 2008



bequeathing his properties to the applicant. It is prayed that the applicant be therefore impleaded as Legal Representative of the deceased father to continue with the present suit and the name of the deceased plaintiff no.1 be deleted from the array of parties.

3. Learned counsel for the defendant has submitted that Mrs. Arti Kirloskar and Mrs. Avanti Pandit have been contesting the claim of Mr. Jayant Gupta and claiming their share in the property.

4. Issued notice to Mrs. Arti Kirloskar and Mrs. Avanti Pandit through ordinary process, speed post, courier, Whatsapp and E-mail, returnable on 02nd September, 2022.

5. In the meanwhile, defendants to file their reply to the present application within five weeks with a copy to learned counsel for the plaintiff.

CS(OS) 915/2009

Re-notify on 02nd September, 2022.

NEENA BANSAL KRISHNA, J

MAY 30, 2022/pa