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IN THE HIGH COURT OF DELHI AT NEW DELHI

CS(OS) 1312/2007

UJJAL S. MAKKER

.....Plaintiff

Through: Mr. Rahul Sharma, Mr. Manikant
Sharma & Mr. Shikher Singh,
Advs.

versus

KAVAL BAJAJ & ORS

.....Defendants

Through: Dr. Sarbjit Sharma, Adv. (joined
through VC) with Ms. Laxmi
Sharma & Mr. Kaval Bajaj,
Advs. for D-1
Mr. Shivam Gupta, Adv. for D-3
(joined through VC)

CORAM:

**JOINT REGISTRAR (JUDICIAL) MS. PRIYA
MAHENDRA, (DHJS)**

ORDER

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14.05.2025

**IA No.1846/2025 under Order XXII Rule 4 CPC moved
by the plaintiff for impleadment of LR's of D-2; and
IA No.1847/2025 under Section 151 CPC moved by the
plaintiff seeking condonation of delay in filing IA
no.1846/2024**

1. Learned counsel for the defendant no.3 already submitted that he has no objection to the captioned IAs.
2. As per office note, reply to IA no.1846/2025 filed by defendant no.1 is on record. Learned counsel for defendant no.1 submits that he does not wish to file any reply to IA no.1847/2025. At this stage, it is stated by learned counsel for the applicant/plaintiff that he does not wish to file any rejoinder to reply of defendant no.1 in IA no.1846/2025.
Thus, pleadings qua defendant no.1 in both the captioned IAs are complete.

3. At this stage, it is stated by learned counsel for the plaintiff that the details of three proposed LR's of deceased defendant no.2 have been supplied to him by learned

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counsel for defendant no.1. However, learned counsel for defendant no.1 has only provided the postal addresses of the said proposed LR of deceased defendant no.2 which are of Australia. He submits that if learned counsel for defendant no.1 will supply the electronic details of proposed LR of deceased defendant no.2, this matter can be expedited by effecting electronic service upon three proposed LR of deceased defendant no.2, who are residents of Australia.

4. At this stage, learned counsel for defendant no.1 fairly concedes that he has in his possession phone number of one of the proposed LR of deceased defendant no.2 i.e. proposed LR no.(c) of deceased defendant no.2 and that he undertakes to share the same with learned counsel for the plaintiff within a week. Thereafter, the learned counsel for the plaintiff shall take requisite steps for service of proposed LR no.(c) of deceased defendant no.2 through electronic mode and also try to procure the details for service of other proposed LR of deceased defendant no.2 through electronic mode. Accordingly, fresh notice of the captioned IAs be issued to proposed LR of deceased defendant no.2 to be served by electronic mode on furnishing details & taking further steps by the applicant, returnable for the next date of hearing.

Re-notify the captioned IAs for completion of service qua all the proposed LR of D-2/ consideration on

IA No.13310/2022 (for passing of Preliminary Decree and for directions filed by defendant no.1)

5 Pleadings are already complete.

6. However, an application under Order XXII Rule 4 CPC filed by the plaintiff for impleadment of LR of D-2



is pending consideration

Re-notify the captioned IA on the next date of hearing.

I.A.No.1137/2023 (under Order XI Rule 12 & 14 CPC filed by the plaintiff)

7. The captioned IA has already been placed before the Hon'ble Court for 30.05.2025, as per the order dated 07.04.2025.

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8. The plaintiff has not taken steps to bring amended Memo of Parties on record till date despite granted the last and final opportunity vide order dated 07.04.2025. No plausible explanation is furnished by learned counsel for the plaintiff for not taking steps timely. So, cost of Rs.500/- is imposed upon the plaintiff to be deposited with Delhi High Court Legal Services Committee and the last and final opportunity is granted to the plaintiff to take requisite steps to bring it on record within two weeks.

Re-notify the matter for further proceedings on 31.07.2025.

**PRIYA MAHENDRA (DHJS)
JOINT REGISTRAR (JUDICIAL)**

MAY 14, 2025/ab

Click here to check corrigendum, if any