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

+ **CS(OS) 1895/2012**

MAYA SHANKER GUPTA Plaintiff

Through: Plaintiff in person

versus

SHAKUNTALA GUPTA & ORS Defendants

Through: Mr. Utkarsh Batra and Mr. Saksham Kalra, Advocates for Defendant nos. 1,2,3,6 and 7 appeared physically Ms. Ruchira Goel and Mr. Adit Jayeshbhai Shah, Advocates for LRs of deceased defendant no.5 appeared physically

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

ORDER

23.01.2023

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

A per order of the Hon'ble Court dated 15.11.2022, the application IA No. 16789/2021 under Order 22 Rule 4 CPC for impleadment of legal heirs of deceased defendant no.1 Smt. Shakuntala Gupta has been allowed. Learned proxy counsel for defendant nos. 1 to 3, 6 and 7 has stated that defendant nos. 2,3,6 and 7 are already parties to the suit as legal heirs of deceased defendant no.1 and no new legal heirs of deceased defendant no.1 has been impleaded. He has further submitted that deceased defendant no.5 Sh. Mahavir Gupta was also one of the legal heirs of deceased defendant no.1, but he had pre-deceased defendant



no.1 due to which application for impleadment of legal heirs of deceased defendant no.5 was filed by the plaintiff.

IA No. 13041/2018 for impleadment of legal heirs of deceased defendant no.5 Sh. Mahavir Gupta has also been allowed by the Hon'ble Court vide abovesaid order and the legal heirs namely Ms. Ritu Gupta (wife), Ms. Swati Gupta (daughter) and two minor daughters namely Ms. Nikki Gupta and Ms. Rashi Gupta have been impleaded as necessary and proper parties as legal representatives of deceased defendant no.5.

Learned proxy counsel for LR's of deceased defendant no.5 has stated that the two minor daughters of deceased defendant no.5 will be represented by their mother Ms. Ritu Gupta.

Perusal of the file noting reveals that Amended Memo of Parties has been filed by the plaintiff, but it has been returned under objections. Plaintiff is directed to remove the objections so that it comes on record. Copy of Amended Memo of Parties be supplied to the opposite parties.

The matter is at the stage of plaintiff's evidence.

At request, put up for further cross-examination of PW-1 Mr. Maya Shanker Gupta on 17th and 18th April, 2023 at 2:00 PM.

TYAGITA SINGH, (DHJS)
JOINT REGISTRAR (JUDICIAL)

JANUARY 23, 2023
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