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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CS(OS) 2297/2014
RAJENDER TYAGI & ORSPlaintiff
Through: Mr. M.M. Singh & Mr. Rajiv
Ranjan, Advs.
versus

RAKESH TYAGI & ORSDefendant
Through: Mr. Dhananjay Sehrawat, Mr.
Shyam Dutt & Mr. Mukul
Yadav, Advs.

CORAM:
**JOINT REGISTRAR (JUDICIAL) SH. MANISH
SHARMA, (DHJS)**

% **ORDER**
08.04.2024

**I.A.No.6399/2024 (under Order XXII Rule 3 r/w
Section 151 CPC for substitution of legal
heirs/representatives of the deceased plaintiff no.2)**

1. Learned counsel for defendants accepts notice of the captioned IA and submits that he has no objection, if the captioned IA is allowed.
2. Arguments heard. Record perused.
3. It is averred in the captioned IA that the plaintiff no.2 passed away on 14/12/2023 leaving behind the following legal heirs i.e.
 - (i) Mr. Rahul Tyagi - son
 - (ii) Ms. Raksha Tyagi – wife
 - (iii) Ms. Alka Tyagi – daughter
 - (iv) Ms. Deepa Tyagi – daughter &
 - (v) Ms. Gulshan Tyagi - daughter
4. Copy of death certificate of plaintiff no.2 has been filed along with the captioned IA.



5. The captioned IA has been filed on behalf of the plaintiffs on 16/03/2023. The same has been filed within the stipulated period of limitation.
6. After the death of the plaintiff no.2, right to sue survives in favour of the LRs of plaintiff No.2 and against the defendants.
7. In view thereof, the captioned IA is allowed. LRs of plaintiff no.2 are brought on record.
8. Let amended memo of parties filed along with the captioned IA be taken on record.
9. IA stands disposed of.

CS(OS) 2297/2014

10. The matter is at the stage of cross-examination of PW-1.
 1. PW-1 is not present.
11. Re-notify the matter for cross-examination of PW-1 on **05th August, 2024.**

**MANISH SHARMA, (DHJS)
JOINT REGISTRAR (JUDICIAL)**

APRIL 08, 2024/nk

Click here to check corrigendum, if any