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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CS(OS) 1458/2013
APEEJAY PVT LTD Plaintiff

Through Mr. Manish Kumar Srivastava,
Advocate

versus

TITAN ESTATES PVT LTD AND ORS Defendants
Through Ms. Yashmeet, Advocate for
defendant nos.1 and 3

CORAM:

**SH. ANIL KUMAR SISODIA (DHJS), JOINT REGISTRAR
(JUDICIAL)**

ORDER

% **13.07.2016**

IA No. 8033/2016 in CS(OS) 1458/2013

The plaintiff has filed this application for deletion of name of defendant no.2 from the array of parties on the ground that defendant no.2 had expired on 02.01.2016.

It has further been submitted that defendant no.2 was sued being the Director of defendant no.1 company and as such right sue would not survive against his legal representatives.

Ld. counsel for defendant nos. 1 and 3 has appeared and submits that she has no objection if the application is allowed.

Keeping in view of the fact that right to sue does not survive against the LRs of deceased defendant no.2 who was being sued in his capacity as Director of defendant no.1 company, the application filed by the plaintiff is allowed. The name of defendant no.2 is deleted from the array of parties.

Amended memo of parties is taken on record.

IA stands disposed off accordingly.

The date fixed for 14.07.2016 stands cancelled.

CS(OS) 1458/2013

Ld. counsel for plaintiff has pointed that there is a typographical mistake in the amended memo of parties. The mistake is corrected in the court today.

Both the parties shall file their list of witnesses within two weeks from today after exchanging the copies.

Plaintiff shall file evidence by way of affidavit within six weeks from today with copy to defendants.

Put up for plaintiff's evidence on **10th November, 2016.**

**ANIL KUMAR SISODIA (DHJS)
JOINT REGISTRAR (JUDICIAL)**

JULY 13, 2016
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