



\$~R-1B

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

+ RFA 315/2009 and CM APPL. 24916/2017

VIJAY KUMAR SHARMA & ORS. Appellants
Through: Ms. Gunjan Sharma, daughter
of late Sh. Vijay Kumar Sharma
(Ph. 9956130149, e-mail:
gunsharma260380@gmail.com)
versus

SHRI SURINDER KUMAR & ANR Respondents
Through: Advocate for R-1 (appearance
not given)

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

% **ORDER**
02.03.2023

[Physical Hearing/ Hybrid Hearing]

CM APPL. 24916/2017

1. The present is an application under Order 22 Rule 3 CPC read with Section 151 CPC on behalf of legal heirs of appellant No. 1.

2. It is submitted that the appellant No. 1 – Sh. Vijay Kumar Sharma expired on 14.04.2017. It is further submitted that appellant No. 1 is survived by the following legal heirs:

i) Mrs. Susheela Sharma (Wife)
R/o 65-B, Dada Nagar,
Factory Area
Kanpur, Uttar Pradesh



ii) Mrs. Sughandha Sharma (Daughter)
R/o B-568-569, Murlipura Scheme
Jaipur, Rajasthan.

iii) Mr. Rohit Sharma (Son)
R/o 65-B, Dada Nagar,
Factory Area,
Kanpur, Uttar Pradesh

iv) Mrs. Bhumika Sharma (Daughter)
R/o 85/138, Pratap Nagar
Sanganer, Jaipur, Rajasthan.

v) Miss Gunjan Sharma (Daughter)
R/o 65-B, Dada Nagar,
Factory Area
Kanpur, Uttar Pradesh.

3. Ms. Gunjan Sharma, one of the daughters of deceased appellant No. 1 is present in person today.

4. Learned counsel for the respondent No. 1 submits that he has no objection if the present application is allowed.

5. Considering the submissions made in the present application, the present application is allowed and the legal heirs of deceased appellant No. 1 are substituted and brought on record.

6. Let amended memo of parties be filed within a period of two weeks.

7. Application is disposed of accordingly.

RFA 315/2009

8. There is no appearance on behalf of respondent No. 2, when the matter is called out.



9. Issue default notice to respondent No. 2 for appearance on the next date of hearing.
10. List the matter on 12.04.2023 in the 'Advance List'.

MARCH 2, 2023/PB

MINI PUSHKARNA, J