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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(OS) 219/2016**
SMT PREM RANI @ PREM SAIM

..... Plaintiff

Through Mr. R.S. Chaggar, Adv.

versus

SHRI ABDUL SALAM

..... Defendant

Through Mr. Tanvir Khan, Adv.

CORAM:

SANJAY JINDAL (DHJS), JOINT REGISTRAR (JUDICIAL)

O R D E R

% **09.05.2018**

**IA No. 12701/2017 u/O XXII R 3 CPC for bringing on record the
LRs of deceased plaintiff.**

Pleadings are complete.

Arguments heard.

By way of present application, five LR's of the deceased plaintiff are proposed to be impleaded in array of parties i.e. one married son, one married daughter, widow and two children of a pre-deceased son of the deceased plaintiff.

The application is opposed by the defendant basically with contention that no proof has been filed regarding the LR's of the deceased plaintiff.

On perusal of record, it is found that alongwith present

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application separate affidavits of all the proposed LR's are attached with the present application alongwith death certificate of the deceased plaintiff. In view of the affidavits of the LR's, there is no reason to disbelieve their claim at this stage. Moreover, the defendant is always at liberty to rebut the claim made by the applicants. There is no dispute regarding survival of right to sue in favour of the LR's of the deceased plaintiff.

In these circumstances, the present application is found to be bonafide one and the same is accordingly allowed. Amended memo is taken on record.

IA stands disposed of.

CS(OS) 219/2016

Pleadings are already complete.

Admission/denial already conducted by the defendant qua the documents of the plaintiff on 11.10.2017.

In terms of earlier orders, now to come up for admission/denial of documents of the defendant by plaintiff on 24.07.2018.

**SANJAY JINDAL (DHJS)
JOINT REGISTRAR (JUDICIAL)**

MAY 09, 2018/pk