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

+ **CS(OS) 2526/2011**

GOVIND PRASAD

..... Plaintiff

Through: Mr. Chirag Ahluwalia, Advocate
(Through VC).

versus

SATISH GUPTA & ORS

..... Defendants

Through: Mr. N.K. Kantawala, Advocate for
defendant nos. 8, 17 and 19 and for
LRs of defendant no. 10.
Mr. Amaya Nair and Mr. Satyendar
Chahar, Advocates for defendant nos.
9, 11 to 16 and 18.

CORAM:

**JOINT REGISTRAR (JUDICIAL) MS. SURYA MALIK
GROVER (DHJS)**

ORDER

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08.04.2022

I.A. 16886/2021 (under Order XXII Rule 3 CPC moved by Sh. Mukesh Khandelwal for impleadment of LRs of deceased plaintiff) and I.A. 16887/2021 (under Section 151 for condonation of delay)

Reply, if any, be filed by LR Sh. Ramesh Kumar within two weeks positively.

None has been appearing on behalf of defendant nos. 1 to 7. Counsel for defendant nos. 9, 11 to 16 and 18 as well as defendant no. 8, LRs of 10, 17 and 19 submit that they have no objection, if the application is allowed.

List the IA for reply/arguments on **30.05.2022**.

I.A. 16888/2021 (under Order XXII Rule 4 CPC r/w 151 CPC for impleadment of LRs of deceased defendant No. 10)



Learned counsel for LR's of deceased defendant no.10 submits that he has no objection if this application is allowed.

None has been appearing on behalf of def nos. 1 to 7. Further, counsel for defendant nos. 9, 11 to 16 and 18 as well as defendant nos. 8, 17 and 19 submit that they have no objection, if the application is allowed.

This is a suit for partition and possession. The deceased defendant no. 10 is stated to be survived by three Class-I legal heirs i.e., Gaurav Khandelwal (son), Ms.Garima (daughter) and Ms.Mamta (daughter).

This being a suit for partition and possession, right to sue survives against the legal representatives of deceased defendant no.10.

Accordingly, application is allowed and Gaurav Khandelwal (son), Ms.Garima (daughter) and Ms.Mamta (daughter) stand impleaded in place of deceased defendant no.10.

IA stands disposed of in aforesaid terms.

Amended memo of parties be filed in terms of aforesaid order.

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Learned counsel for applicant submits that he shall be filing appropriate application seeking impleadment of LR's of deceased LR Sh. Subhash Kumar Khandelwal. Same be filed as per law.

List IA 16886/2021 for reply/arguments on **30.05.2022**.

**SURYA MALIK GROVER (DHJS)
JOINT REGISTRAR (JUDICIAL)**

APRIL 8, 2022

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