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IN THE HIGH COURT OF DELHI AT NEW DELHI

CS(OS) 2526/2011

GOVIND PRASAD

..... Plaintiff

Through: Mr. Manikant Singhal, Adv. for
all LR's of deceased Subhash
Chand Khandelwal and LR
No.2(c)
Mr. Siddharth Aggarwal, Adv.
for LR no.2(b) of deceased
plaintiff

Versus

SATISH GUPTA & ORS

..... Defendants

Through: Mr. N. K. Kantawala, Adv. for
D-8,10,17&19
Mr. Amaya M. Nair, Adv. for
Mr. Satyender Chahar, Adv. for
D-9,11 to 16 & 18

CORAM:

**JOINT REGISTRAR (JUDICIAL) MS. PRIYA
MAHENDRA, (DHJS)**

ORDER

% 22.03.2023

**IA No. 8679/2022 (application filed by the LR Mr.
Mukesh Khandelwal of deceased plaintiff u/O 22 Rule
3 r/w Section 151 CPC)**

Mr. Manikant Singhal, learned counsel for all the four proposed LR's of deceased LR No.2(a) of deceased plaintiff namely Mr. Shubhash Chand Khandelwal is present and submits that there is no other surviving LR's of late Sh. Shubhash Chand Khandelwal and that he has no objection, if captioned IA is allowed and all the four proposed LR's are allowed to be substituted in place of deceased Sh. Shubhash Chand Khandelwal.

In view of above and in view of reasons mentioned



in the application, captioned IA is allowed and all the proposed LR's of deceased LR no.2(a) of deceased plaintiff namely Sh. Shubhash Chand Khandelwal are allowed to be substituted in place of deceased Sh. Shubhash Chand Khandelwal. Accordingly, captioned IA stands disposed of **IA No. 16886/2021 (application filed by the LR Mr. Mukesh Khandelwal of deceased plaintiff u/O 22 Rule 3 r/w Section 151 CPC)**

Learned respective counsel for LR no.2(c) is present and accepts notice of captioned IA. He submits that he has no objection, if captioned IA is allowed.

As per record, LR no.2(d) Ms. Madhu Khandelwal & 2(e) Lata Gupta have been duly served through ordinary process. However, till date, no reply to captioned IA has been filed. Even otherwise there is no appearance on behalf of said proposed LR's today to explain in this regard.

Heard. It is mentioned in captioned IA that the plaintiff has expired on 02.12.2019 and he is survived by five legal heirs and right to sue survives in favour of only said legal heirs after his death. There is no other legal heir of deceased plaintiff.

The application i.e. IA bearing No.8679/2022 for bringing on record the LR's of LR NO.2(a) of deceased plaintiff has been allowed vide order of even date.

In view of the aforesaid, captioned IA stands allowed to the extent that all the legal heirs of deceased plaintiff are allowed to be substituted in place of deceased plaintiff. The applicant is directed to file Amended Memo of Parties within two weeks with copy to the opposite side. Accordingly, captioned IA stands disposed of.

CS(OS) 2526/2011



Re-notify the ~~matter~~ for further proceedings on
31.05.2023.

PRIYA MAHENDRA (DHJS)
JOINT REGISTRAR (JUDICIAL)
MARCH 22, 2023/ab

Click here to check corrigendum, if any