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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(OS) 2092/2013**
CAPTAIN BHUPINDER KUMAR SURIPlaintiff
Through: Mr. Venancio D'Costa and Ms. Gauri
Goel, Advs.

versus
NARESH KUMAR SURI & ORSDefendants
Through: Mr. Naresh Kumar Suri and Mr.
Aditya Vaibhav Singh, Adv. for D-1
along with D-1 through VC.
Ms. Akanksha Maheshwari and Mr.
Aditya Tanwar, Adv. for D-2 & D-3.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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06.11.2024

I.A. 1220/2024(under Order XXII, Rule 3 read with Section 151 CPC for substitution of legal heirs of the plaintiff in captioned proceedings)

1. The present application has been filed alleging that the sole plaintiff has passed away and he is survived by his wife namely Ms.Ritu Suri and his son Mr. Varun Suri. A prayer has thus, been made to implead the said LR's of the plaintiff.
2. The application is not opposed by the learned counsel for the defendant nos. 1 to 3, as well as, the defendant nos. 4 and 5.
3. It is pointed out that the defendant nos. 4 to 6 were proceeded *ex parte* by this Court *vide* order dated 11.11.2016.
4. In view of the above, the present application is allowed and the LR's of the plaintiff are substituted in place of the deceased plaintiff.
5. Let Amended Memo of Parties be filed within a period of two weeks.



6. The application stands disposed of.

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7. The learned counsel for the parties submit that the defendants' evidence is underway and the next date for the said purpose is yet to be fixed.

8. In view of the above, list before the learned Joint Registrar for fixing the date of defendants' evidence on 11.12.2024.

VIKAS MAHAJAN, J

NOVEMBER 6, 2024/dss