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

+ **CS(OS) 373/2018**

AJAY KUMAR SINGHAL & ORS. Plaintiffs

Through: Mr. D.S. Vohra, Advocate
appeared physically (M:
9873252244)

versus

MANGE RAM GUPTA & ORS. Defendants

Through: Mr. Abhinav Sharma,
Advocate for LR's of
deceased defendant no.1
appeared physically
Mr. N.K. Kantawala and
Mr. Amaya M. Nair,
Advocates for Defendant
no.5 appeared physically

**CORAM:
JOINT REGISTRAR (JUDICIAL) MS. TYAGITA
SINGH, (DHJS)**

ORDER
% **16.02.2023**

*Matter is taken up through physical hearing as well as
video conferencing.*

**IA No. 3074/2023 (application filed by the plaintiff u/S 151
CPC for correction of name of defendant no.1(v) Disha Garg)**

This is fresh application filed by the plaintiff for correction
of name of defendant no. 1(v).

Notice accepted by the opposite parties. All the defendants
have stated that they have no objection if the application is
allowed.

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Learned counsel for legal heirs of deceased defendant no.1 has stated that he is representing all the legal heirs of deceased defendant no.1 including defendant no.1(v) Ms. Disha Garg and he had provided the information to plaintiff regarding the correct name of defendant no.1(v), due to which this application has been filed by the plaintiff.

Perusal of the order dated 26.05.2022 reveals that application of plaintiff i.e. IA No. 9901/2021 under Order 22 Rule 4 CPC was allowed and the legal heirs of deceased defendant no.1 were impleaded as necessary and proper parties to the suit and at page no. 2 of the said order, the name of defendant no.1(v) has been mentioned as Smt. Sunita, daughter of deceased defendant no.1.

At request of the parties, the name reflected as 'Smt. Sunita' at page no. 2 of the order dated 26.05.2022 is rectified to the effect that it be read as 'Smt. Disha Garg'.

IA stands allowed. Amended Memo of Parties has already been filed on record with the application.

Learned counsel for defendant no.5 has stated that correct name of defendant no.5 is 'Assa Ram' but inadvertently spelling of name of defendant no.5 has been wrongly mentioned in Memo of Parties and Amended Memo of Parties as 'Asha Ram'.

At request, the name of defendant no.5 is rectified as 'Assa Ram'.

Plaintiff is directed to file Amended Memo of Parties clearly reflecting the correct names and addresses of all defendants and legal heirs of deceased defendant no.1.

IA stands disposed off.



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Matter is already listed before the Hon'ble Court on
28.02.2023 for further directions.

**TYAGITA SINGH, (DHJS)
JOINT REGISTRAR (JUDICIAL)**

FEBRUARY 16, 2023
savita

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