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IN THE HIGH COURT OF DELHI AT NEW DELHI

CS(OS) 330/2018

ASHOK KUMAR

..... Plaintiff

Through: Mr. Akshay Kumar, Adv. (joined
through VC) & Mr. Deepak
Vuttsya, Adv.

Versus

**MUNNI DEVI (SINCE DECEASED) THROUGH L.RS
AND ANR.**

..... Defendant

Through: None for D-3

CORAM:

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

ORDER

% **27.04.2023**

**I.A. No. 15/2023 (for seeking amendment of the plaint)
moved by the plaintiff**

The defendant no.3 has been served in person as well as through learned counsel for the defendant no.3. The plaintiff has not served other defendants with notice of captioned IA.

At this stage, learned counsel for the plaintiff has drawn my attention to order dated 26.10.2018, where it was recorded that the LRs of deceased defendant no. 1 were proceeded against *ex-parte* vide order dated 02.11.2001. Further, it notes that the defendant no. 2, husband of defendant no. 1 also expired subsequently and it was observed vide order dated 01.12.2014 that his LRs are already on record being LRs of defendant no. 1 and that they have already been proceeded against *ex-parte*.

It is also stated by learned counsel for the plaintiff that the defendant no. 4 was only a formal defendant and



pursuant to his death, the Plaintiff has already stated that he does not want to implead his LRs in the present matter.

In view of above and since the date before the Hon'ble Court is short, the matter may be placed before the Hon'ble Court on date already fixed i.e. 03.05.2023, for further directions.

**PRIYA MAHENDRA (DHJS)
JOINT REGISTRAR (JUDICIAL)**

APRIL 27, 2023/ab

[Click here to check corrigendum, if any](#)