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

+ **CS(OS) 330/2018**

ASHOK KUMAR

..... Plaintiff

Through: Mr. Rajiv Raheja, Adv. Proxy for
Mr. Akshay Kumar, Adv. With
Ms. Kavita Balilia, Ms. Kalpna
Sakkarwal & Mr. Nitin Ratawal,
LRs of P-4

versus

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

..... Defendant

Through: Mr. Manish Kumar, Adv. for D-3
(appeared through VC)

**CORAM:
JOINT REGISTRAR (JUDICIAL) SH. MANISH
SHARMA, (DHJS)**

% **ORDER
26.08.2025**

**I.A.No.20882/2025 (under Section 151 CPC filed on
behalf of the plaintiff seeking early decision on the
application for impleadment of LRs of P-4 and setting
aside abatement, in view of the settlement arrived at in
Mediation)**

1. It is submitted that the matter is coming up before this Court on 23.09.2025.
2. File is taken up today on listing of the captioned IA.
3. Learned counsel appearing on behalf of defendant no.3 accepts notice of the captioned IA and submits that he has no objection, if the captioned IA is allowed.
4. Learned counsel for the plaintiff submits that he is also



appearing on behalf of plaintiff no.4 and all the three LRs of plaintiff no.4 are also present in the court and they also have no objection, if they are impleaded as LRs of plaintiff no.4 in the present case.

5. It is averred in the captioned IA that the plaintiff has also filed three applications i.e I.A.No.42227/2024 (under Section 5 of Limitation Act seeking condonation of delay in filing application under Order XXII Rule 3 CPC); I.A.No.42228/2024 (under Order XXII Rule 3 r/w Section 151 CPC filed on behalf of proposed legal heirs of late Smt. Dropati Ratawal i.e. plaintiff no.4 (a) seeking permission to bring them on record) & I.A.No.42233/2024 (under Order XXII Rule 9 r/w Section 151 CPC for setting aside the abatement). It is further averred that the present matter is pending before Delhi High Court Mediation & Conciliation Centre for 22.09.2025 as the matter has almost been settled between the plaintiff and the only contesting defendant i.e. defendant no.3.
6. It is averred that for implementation of settlement, it is necessary to implead LRs of plaintiff no.4 in the present matter.
7. It is averred in IA No.42228/2024 that the plaintiff no.4/Dropati Ratawal passed away on 21.08.2017 leaving behind the following LRs:
 - (i) Sh. Harish Chander – husband (passed away on 01.11.2020
 - (ii) Ms. Kavita Bokolia – daughter
 - (iii) Ms. Kalpana Sakkarwal – daughter &
 - (iv) Mr. Nitin Ratawal – son



8. It is also averred that Mr. Harish Chand, husband of plaintiff no.4 passed away on 01.11.2020 leaving behind the abovementioned two daughters and one son as his LR's.
9. Heard. Record perused.
10. After the death of the plaintiff no.4, right to sue survives in favour of the LR's of plaintiff no.4 and against the defendants.
11. In view of the no objection furnished by learned counsel for the defendant no.3 as well as keeping in view the fact that the present matter is pending before Mediation Centre for the purpose of settlement and presence of abovementioned three LR's of plaintiff no.4 is necessary for recording of settlement, the captioned IA along with I.A.No.42227/2024, I.A.No.42228/2024 & I.A.No.42233/2024 is allowed. LR's of plaintiff no.4 are brought on record.
12. IAs stand disposed of.

MANISH SHARMA, (DHJS)
JOINT REGISTRAR (JUDICIAL)
AUGUST 26, 2025/nk