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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(OS) 3033/2014**
SHEO CHAND AND OTHERS

..... Plaintiff

Through: Mr. Satish Kumar Verma & Ms. Jyoti
Choudhary, Advocates.

versus

AJIT SINGH

..... Defendant

Through: Mr. Raghav Mehdiratta, Adv. for D-4
& 8 to 11.

CORAM:
SH. VIJAY SHANKAR (DHJS), JOINT REGISTRAR
(JUDICIAL)

ORDER
% **17.02.2020**

**I.A.No. 17497/2019 under Section 151 CPC filed on behalf of the
LRs of the plaintiff no.1 for condonation of delay in re-filing the
application under Order 22 Rule 3 CPC**

Heard. Opposed. Perused. The aforesaid application of LRs of
the plaintiff no.1 is allowed subject to just exceptions.

I.A stands disposed of.

**I.A.No.17498/2019 under Order 22 Rule 3 r/w Section 151 CPC
filed on behalf of the LRs of plaintiff no.1 for bringing on record
the LRs of the plaintiff no.1**

Counsel for the defendant no.4 & 8 to 11 accepts the notice of
the aforesaid application and submitted that he does not wish to file
reply to the aforesaid application.

It is submitted by counsel for LR of the plaintiff no.1 that the plaintiff no.1 has expired on 10/07/2019 and the present application has been filed within statutory period. It is further submitted by counsel for LR of the plaintiff no.1 that right to sue survives in favour of LR of the plaintiff no.1 and against the defendants and the present application of LR of the plaintiff no.1 be allowed.

Counsel for the defendant no.4 & 8 to 11 opposed the aforesaid application of LR of the plaintiff no.1.

Arguments heard on the aforesaid application of LR of the plaintiff no.1. Perused the material available on record. Considering the facts, circumstances and in view of the submissions made, aforesaid application of LR of the plaintiff no.1 is allowed. Amended memo of parties be filed before the next date of hearing.

IA stands disposed of.

CS(OS) 3033/2014

At joint request, re-notify the matter for plaintiffs' evidence on 26th May, 2020.

**VIJAY SHANKAR (DHJS)
JOINT REGISTRAR (JUDICIAL)**

FEBRUARY 17, 2020/nk