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

+ **CS(COMM) 444/2017**

SHANTA GANGWANI & ORSPlaintiffs

Through: Ms. Akanksha Kaul, Mr. Anant Nigam and Mr. Raghav Luthra, Advocates.

versus

JKM BUILDHOME PVT LTD & ORSDefendants

Through: Mr. Ajay Singh, Mr. Vivek Kumar Singh, Mr. Animesh Mishra and Mr. Mohak Gulati, Advocates.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

25.07.2025

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I.A. 17687/2025

1. This application is filed on behalf of the Plaintiffs under Section 151 CPC for substitution of Plaintiff No. 1 by Plaintiff No. 2 her son, owing to the fact that Plaintiff No. 1 is 86 years of age and suffers from several ailments.
2. Learned counsel for the Defendants opposes the application on the ground that Plaintiff No. 1 is under cross-examination and no substitution can be permitted at this stage as this would prejudice the case of the Defendants *albeit* it is submitted that all endeavour shall be made to conclude the cross-examination as expeditiously as possible looking at the age of the witness.
3. After canvassing some arguments, Ms. Kaul, on instructions, does not press the application.
4. Application is dismissed as not pressed.

JYOTI SINGH, J

JULY 25, 2025/shivam