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

+ CS(COMM) 711/2017 & I.As. 12053/2017, 15286/2021,
5678/2022

MS. ASHA DASS & OTHERS

..... Plaintiffs

Through: Mr. Ajay Kapur, Senior Advocate
with Mr. Varun Kumar, Ms.
Pallavi Chopra & Ms. Pooja
Chahar, Advocates.

versus

PRIME ROAD SOLUTIONS
PVT. LTD. & OTHERS

..... Defendants

Through: Mr. Shekhar Dasi, Advocate.
[M:-9871655327]

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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23.01.2023

I.A. 19443/2022 (Application on behalf of the plaintiff No. 2-Ms. Minaakshi Dass under Order XII Rule 2 of the CPC)

1. This application has been filed by the legal heirs of plaintiff No. 1 for substitution as the plaintiff No. 1 passed away on 17.09.2022. It is stated that the husband of plaintiff No. 1 had predeceased her and that she had two children, a son-Sh. Sanjeev Dass who had also predeceased her and a daughter-Ms. Kavita Bhartia. It is further stated that late Sh. Sanjeev Dass died intestate on 24.03.2009, survived by his wife Smt. Minaakshi Dass and two children – Sh. Krishna Dass and Smt. Shivani

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Dass.

2. There is no objection to the application. The application is therefore allowed.

3. As Smt. Minaakshi Dass is already arrayed as plaintiff No. 2 in the suit, it is not necessary to substitute her in place of Ms. Asha Dass. The deceased plaintiff No. 1-Ms. Asha Dass will be substituted by Ms. Kavita Bhartia, Sh. Krishna Dass and Smt. Shivani Dass as plaintiff Nos. 1A, 1B and 1C. The amended memo of parties be filed within one week.

4. The application stands disposed of.

CC(COMM) 41/2018

1. Mr. Shekhar Dasi, learned counsel for the defendant No. 1 / counter claimant states that Ms. Asha Dass is also arrayed as defendant No. 1 in the counter claim. He has received the details of the legal heirs only today. He therefore seeks an opportunity to file an application for substitution in the counter claim.

2. List on 18.05.2023.

CS(COMM) 711/2017

List the suit alongwith all pending applications on 18.05.2023.

PRATEEK JALAN, J

JANUARY 23, 2023

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