



2018:HHC:9623

**RSA No. 40 of 2018**

**1.1.2020**

Present: Mr. Anuj Nag, Advocate, for the appellant.

Mr. Neeraj Gupta, Senior Advocate with Ms. Rinki Kashmiri, Advocate, for respondents No. 1 (a), 6, 7, 8(c) to 8(g), 9 (a), 10 (a) and 10(b), 14, 15(b), 16, 17, 30(b) and 30(e).

**CMP(M) No. 1887 of 2019**

By way of instant application filed under Order 22 Rule 4 of CPC read with Section 151 CPC, prayer has been made on behalf of the applicants/appellants, for brining on record the LR's of deceased respondent No.26 namely Sh. Rajinder Prasad. Learned counsel for the non-applicant/appellant states that she does not want to file any reply to the application and has no objection, in case prayer made in the application is allowed.

Averments contained in the application, which is duly supported by an affidavit, suggest that respondent No.26 expired on 5.10.2019, leaving behind LR's as detailed in para-2 of the application. Since right to sue survives in favour of the applicants, there appears to be no impediment in accepting the prayer made in the application and as such, same is allowed and persons named in para-2 of the application are ordered to be substituted in place of respondent No.26 Rajinder Prasad. Amended memo of parties is already on record. Registry to carry out necessary corrections in the cause-title on the basis of amended memo of parties. Application stands disposed of.

**RSA No. 40 of 2018**

Issue notice to the newly added respondents returnable within six weeks on taking steps within one week.

**CMP No. 894 of 2018**

Since pleadings are complete, let matter be listed for consideration on **18.3.2020**.

**1<sup>st</sup> January, 2020**

*manjit*

**(Sandeep Sharma),  
Judge**