

S.B. Civil Second Appeal No.817/2011
Devraj Vs. LR's of Narain Das & Ors.

Date of Order: 19/01/2015.

P R E S E N T

HON'BLE Dr. JUSTICE VINEET KOTHARI

Appearance:

Mr. Alkesh Agarwal, for the appellant.
Mr. Jitendra Chopra, for the respondents.

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The matter comes up on application (IA No.124/15) filed by the learned counsel for the appellant under Order 22 Rule 1 read with Section 151 CPC for deleting the name of respondent No.3/2, Smt. Bhagwati Devi.

Counsel for the appellant submits that the respondent No.3/2- Smt. Bhagwati Devi had expired and according to him, there are not legal representatives of said respondent. He, therefore, submitted that the name of respondent No.3/2- Smt. Bhagwati Devi may be deleted from the array of respondents.

Having heard the learned counsel for the appellant, the application (IA No.124/15) is allowed. The name of respondent No.3/2 Smt. Bhagwati Devi, be deleted from the array of respondents at the risk of the appellant.

Heard on application (IA No.125/2015) filed by the appellant under Order 22 Rule 4 read with Section 151 CPC for bringing on record the legal representatives of deceased respondent

No.3/1, Sh. Basantraj, who is said to have expired leaving behind him as many as 3 legal representatives, which may be substitute as legal representatives of respondent No.3/1- Basantraj.

Having heard the learned counsel for the appellant, the application (IA No.125/2015) filed by the appellant for bringing the legal representatives of respondent No.3/1, Sh. Basantraj is allowed. The amended cause title be filed within a period of two weeks.

Issue notice to the legal representatives of deceased respondent No.3/1, Sh. Basantraj, returnable within four weeks.

Notices may be given 'dasti' to the counsel for the appellant for effect direction service.

(Dr. VINEET KOTHARI), J.