SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			WPMS/2244/2026 Mittal Radhika Devi Virendra and others --Petitioners **Versus** Deepali Mittal and others --Respondents **Hon'ble Manoj Kumar Tiwari, J.** Ms. Prabha Naithani, Advocate for the petitioners. 2. Mr. Piyush Garg, Advocate for the respondents. 3. Petitioners have challenged order dated 03.09.2025 and 07.03.2026, passed by Second Additional Civil Judge (Senior Division), Dehradun in O.S. No. 217 of 2013. By the first order dated 03.09.2025, application filed by plaintiffs/respondents under Order 22 Rule 4(4) CPC, seeking exemption from substituting the legal representatives of defendant no. 2, was allowed on the ground that proceedings were continuing *ex-parte* against defendant no. 2. Petitioners, thereafter filed application under Order 1 Rule 10 (2) CPC seeking impleadment, which was

			rejected by subsequent order dated 07.03.2026. 4. Petitioners have filed a supplementary affidavit dated 07.08.2026 stating that in the event they are permitted to be substituted in the suit, they shall contest the suit from the stage at which they are substituted and they shall not challenge any order, passed prior to date of their substitution. 5. Mr. Piyush Garg, learned counsel appearing for plaintiff-respondents, on instructions, submits that he has no objection if the prayer made by petitioners for their substitution in the suit is allowed with the condition that they shall contest the suit only from the stage at which they are substituted and they shall not challenge any order, passed earlier. 6. In view of consensus between the parties, both the orders, impugned in this writ petition, passed on 03.09.2025 and 07.03.2026 are hereby set-aside. The writ petition is allowed and the plaintiffs are directed to substitute petitioners in the pending suit and they shall carry out necessary amendment in the array of parties, However, it is made clear that petitioners shall contest the suit only from

			the stage they are substituted as legal representatives and they shall not be at liberty to challenge the order, if any, passed in the suit, prior to their substitution. 7. Ms. Prabha Naithani, learned counsel for petitioners submits that she is giving up the contention, as was raised in para 3 of the supplementary affidavit. **(Manoj Kumar Tiwari, J.)** 18.08.2026 Navin NAVEEN CHANDRA