

31.01.2019

Present : Sh. Nitin Gupta, Ld. counsel for plaintiff no. 2.

Sh. S.S. Jain, Ld. counsel for the LRs of the defendant no. 10  
with LRs Ashok Jain and Verdhaman Jain.

Sh. Mayank Bansal, Ld. counsel for LRs of the defendant no. 11.

Sh. Nitin Dhingra, Ld. counsel for defendant no. 1(a) to 1(e),  
2(a), 3(b), 3(c), 4 and 5.

Defendant no. 10B in person.

Ld. counsel for the plaintiff no. 2 submits that he does not want to press the application dated 19.07.1993 I.A. No. 6449/93; application dated 02.11.2002 U/o 1 Rule 10 CPC and application dated 08.12.2014 U/o 1 Rule 10 CPC. Ld. counsels appearing for the opposite parties submit that they have no objection over the same.

Hence, the abovesaid three applications of the plaintiff no. 2 are hereby dismissed being not pressed.

Another application filed by plaintiff no. 1 on dated 07.03.2009 for modification of preliminary decree dated 02.01.1980 is taken up.

It is submitted by the parties that the plaintiff no. 1 has stopped appearing since long. Hence, the same is dismissed for non-prosecution.

Another application dated 18.12.2000 filed on behalf of the plaintiff no. 2 U/o 22 Rule 4 CPC for impleading the LRs of defendant no. 1A Smt. Madan Kumari (since deceased) is taken up. Heard on the application. The application is allowed.

Another application dated 16.04.2018 filed on behalf of the plaintiff no. 2 U/o 22 Rule 4 CPC for impleading the LRs of defendants no. 6 and 1C is also taken up. Heard on the application. Ld. counsel for the defendant no. 1a to 1e and no. 5, who are the other LRs of principal defendant alongwith defendant no. 6 and 1C are directed to file the affidavits regarding the particulars and addresses of other LRs.

Application dated 30.01.2009 for directions to defendant no. 2A Sh. Arun Kumar Jain to produce on record the document, details and particulars regarding the sale, transfer in respect of shop no. F4 which was filed on behalf of defendant no. 11 (a) to (d) is taken up. Ld. counsel for applicants submits that he does not want to press the said application and the same is dismissed being not pressed.

Another application dated 14.12.2009 U/o 26 Rule 9 CPC seeking directions to appoint LC for taking portion-wise measurement of the suit property which was filed on behalf of defendant no. 11 (a) to (d) is taken up. Ld. counsel for applicants submits that he does not want to press the said application and the same is dismissed being not pressed.

Put up for reply and arguments on the remaining applications on 20.02.2019 at 2:15 pm.

(RAJ PAUL SINGH TEJI)  
Addl. District Judge-09(Central),  
31.01.2019