

New CS No. 10164/2016

JAG MOHAN GUPTA & ANR. VS. GIRDHARI LAL & ORS.

21.05.2019

Present: Ms. Manika Goswamy, Ld. Counsel for plaintiff no. 2 with
plaintiff no. 2 in person.

Mr. Nitin Dhingra, Ld. Proxy Counsel for LR's of D-1 (a) to D-
1 (e), D-2(a), D-3(b) and D-3(c) and D-4, 5 and 6.

Ld. Counsel for D-10.

Clerk on behalf of D-11.

Defendants have not filed reply to the application of plaintiff
no. 2 A under Order 22 Rule 4 read with section 151 CPC.

Ld. Counsel for defendants who are present in the court
submit that they are not going to file reply to the application and have no
objection if the application moved by plaintiff is allowed.

A perusal of file shows that notice of application has not been
to the LR's of deceased D-1 namely Bipin Chand Jain.

Accordingly, **notice** of the application to all LR's of deceased
D-1(b) Bipin Chand Jain.

A perusal of file shows that preliminary decree in this has
already been passed on 02.01.1980 and thereafter three local
commissioners were appointed to submit the report in respect of
distribution of property by metes and bound.

Contd.....2

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However, the property could not be divided as there were objections on the reports of the local commissioners.

In these circumstances, **court notice** to all the LR's of defendants as well as plaintiff no. 1 be issued.

Ld. Counsel for the plaintiff has filed list of pending applications.

Copy given to Ld. Counsel for the defendants.

Put up on 03.06.2019 for reply and arguments on the application moved by plaintiff no.2.

(BIMLA KUMARI)
ADJ-3 (CENTRAL)
TIS HAZARI COURTS
DELHI/21.05.2019