

CS no.1465/16
Sita Devi VS Arya Samaj Mandir
21.03.2023

File received by way of transfer vide order no. 33/G-I/Gaz-IA/DHC/2022 dated 16.11.2022 from the Court of Sh. Rajesh Kumar, Ld. ADJ-03, (East), KKD Courts, Delhi.

Present: Sh. M. Mukul, Ld. Counsel for plaintiff.
Sh. Ompal Singh, Ld. Counsel for applicant/ Arya Samaj Mandir.

Argument on the application of the applicant filed U/sec 151 CPC on dated 02.06.2017 heard as well as argument also heard on the application of the plaintiff U/o 6 rule 17 CPC r/w U/o 1 rule 10 CPC.

Vide the application U/Sec 151 CPC, the applicant/ Arya Samaj Mandir, Jhilmil is seeking the relief of deletion of the address of the applicant.

It is seen that initially the present case had been filed against 11 defendants, however except defendant no.1, all the defendants have been deleted vide order dated 19.12.2020.

By way of the application U/o 6 rule 17 r/w U/o 1 rule 10 CPC, the plaintiff wants to amend the suit impleading the defendant as Delhi Arya Pratinidhi Sabha (Registered) having the address as 15, Hanuman Road, Connaught Place, New Delhi

On the other hand, it is submitted by Ld counsel for the applicant/ Arya Samaj Mandir that their head society is known as Delhi Arya Pratinidhi Sabha and they are working under it as

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CS no.1024/16
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Arya Samaj Mandir having the address as disclosed in the plaint that of Jhilmil Colony.

In view of the above facts and circumstances, when there has to be the representation on behalf of the defendants, the application of the applicant/Arya Samaj Mandir Jhilmil Colony U/s 151 CPC is dismissed. However, the application of the plaintiff U/o 6 rule 17 CPC r/w Order 1 rule 10 CPC is allowed in the manner that the defendants be impleaded as (1) Delhi Arya Pratinidhi Samaj registered having the address of Hanuman Road as well as the applicant (2) Arya Samaj Mandir situated at Jhilmil defendant no.2 having the same address, of Jhilmil.

In view of above, the application U/o 6 rule 17 CPC r/w Order 1 rule 10 CPC stand disposed off.

Ld counsel for plaintiff is directed to file the amended memo of parties along with amended plaint.

The summons for settlement of issues be also issued to both the defendants as per the amended memo of parties on filing of PF and RC, returnable for **29.05.2023**.

(Kishor Kumar)
ADJ-04, East District,
Karkardooma Courts, Delhi
21.03.2023