

14CS308/21SUMAN LATA Vs.
VIKAS KUMAR AND ORS

09.10.2024

Present : Sh. A.K.Tiwari, Proxy for Sh. Mohd. Zahid, Ld. Counsel with the plaintiff.
Ms. Arshin Mirza, Proxy for Sh. P.K.Rai, Ld. Counsel for the defendants No.1,2&5.

Sh. Tiwari seeks pass over as main Counsel Sh. Zahid is stated to be busy in some other Court.

Be awaited.

(Sanatan Prasad)
District Judge-02 (East)
Karkardooma Courts/Delhi/09.10.2024

11.46am

Present : Sh. Mohd. Zahid with Sh. A.K.Tiwari, Ms. Geeta Arora, Ms. Khushbu, Ld. Counsels with the plaintiff.
Ms. Arshin Mirza, Proxy for Sh. P.K.Rai, Ld. Counsel for the defendants No.1,2&5.
Defendant No.4 in person.

Heard arguments by the Ld. Counsels parties on the amendment application, moved on behalf of the plaintiff. Ms. Mirza objects the amendments on the ground of improper valuation of the suit and also on account of deficient court fees, affixed on the plaint and her further submissions, is that, now, the relief sought for declaration / cancellation, would entirely go to change the nature of the original suit, which is impermissible, on the other hand, Sh. Zahid submits that the amendments have been necessitated due to unfair denial and the defence taken by the defendants No.1,2&5 and therefore, are necessary to adjudicate the real controversy between the parties. He also

submits an authority and further submits that defendants No.3&4 support the case of the plaintiffs.

Put up on **16.11.2024** for further consideration/clarifications/order.

(Sanatan Prasad)
District Judge-02 (East)
Karkardooma Courts/Delhi/09.10.2024