

10 CS 308/21

SUMAN LATA Vs. VIKAS KUMAR AND ORS

15.10.2025

Pr. Sh. A.K. Tiwari, Ld. Proxy Counsel for plaintiff.

Sh. P.K. Rai, Ld. Counsel for the defendants No.1, 2 & 5.

None for defendants No.3 & 4.

Vide order dated 16.11.2024, Ld. Predecessor had allowed the application under Order VI Rule 17 CPC and amended plaint was taken on record. Written statement to amended plaint has already been filed by defendants No.1, 2 & 5. No written statement to amended plaint has been filed by defendants No.3 & 4 till date. Same be filed in accordance with provisions of law. Replication to written statement of defendants No.1, 2 & 5 has not been filed till date. Same be filed in accordance with the provisions of law.

Ahlmad is directed to place the amended plaint prior to the initial plaint and shall maintain the file properly.

An application under Order XXXIX Rules 1 & 2 CPC of plaintiff is pending adjudication, wherein, he has sought the relief that the defendants No. 1, 2 & 5 be restrained from dispossessing the plaintiff from the suit properties and from alienating or creating any third party interest therein. Ld. Counsel for defendants No. 1, 2 & 5 submits that the plaintiff is residing as a licensee only in the main property bearing H.No. 245/30, Flat No. 103, Sagar Kunj Apartments, Mandawali, Fazalpur, Delhi, and it is denied that the plaintiff is in possession of remaining two properties.

Clarification is sought from the plaintiff in this regard. It is submitted that the main counsel is not available today and will address arguments in this regard on the NDOH.

Re-notify the matter for arguments on application under Order VII Rule 11 CPC as well as on application under Order XXXIX Rules 1 & 2 CPC, on 18.12.2025.

(SHUCHI LALER)
District Judge-02 (East),
Karkardooma Courts/15.10.2025