

CS No.2973/16

03.02.2018

Present:- Plaintiff in person.

Suit already abated against defendant no. 1.

Sh. Manmohan Gupta, Ld. Counsel for the defendant no. 2.

Sh. RPS Sirohi, Ld. Counsel for the defendant no. 3 and 4 along with defendant no. 3 in person.

Defendant no. 5 is exparte.

Cost of Rs. 5,000/- as imposed vide order dated 26.05.2017 paid by the defendant no 2 to the plaintiff today. Hence, the application filed by the said defendant for waiver of the said cost is dismissed as infructuous.

Ld. Counsel for the defendant no. 2 submits that he has been engaged recently and therefore, he is not having the copy of the applications of the plaintiff under order 1 rule 10 CPC and that under 22 and 26 of the Specific Relief Act, since the previous counsel had not handed over the same to defendant no. 2. In order to avoid the controversy, another set of the said applications has been supplied to the Ld. Counsel for the defendant no. 2 today in court. Let reply to these applications be filed by the defendant no 2 after supplying its advance copy to the Ld. Counsel for the plaintiff.

Put up for reply/arguments on the said applications on 16.03.2018

(Sanjay Sharma-I)
Addl. District Judge-02(East)
Karkardooma Courts- 03.02.2018