

CS No. 2973/16

21.07.2018

Present: Plaintiff in person with Ld. Counsel Sh. Sanjay Soti.
Suit already abated as against defendant no.1.
Sh. Manmohan Gupta, Ld. Counsel for defendant no. 2.
Sh. RPS Sirohi, Ld. Counsel for defendant no. 3 and 4.
Defendant no. 5 is exparte.

Fresh application under Section 21 and 22 of the Specific Relief Act had been filed by the plaintiff on 05.07.2018. Along with it other applications have also been filed by the plaintiff such as one under Order 22 Rule 4 CPC for substituting the LRs of deceased defendant no.1; under Order 22 Rule 9 CPC for setting aside the abatement as against defendant no.1; and under Section 5 of Limitation Act for condoning the delay in filing the said two applications. Copies of all the said application supplied to Ld. Counsel for defendants no. 2,3 and 4.

At this stage, Ld. Counsel for plaintiff wants to withdraw his earlier application under Order 1 Rule 10 CPC as also new application under Order 22 Rule 4 CPC. His statement recorded separately to this effect. In view thereof, both the said applications are dismissed as withdrawn.

Put up for reply/arguments on the application under Order 22 Rule 9 CPC, Section 5 of Limitation Act and Section 21 and 22 of the Specific Relief Act, on 03.08.2018 at 02:00 PM

(Sanjay Sharma-I)
Addl. District Judge-02(East)
Karkardooma Courts- 21.07.2018