

20.07.2026

Present: Plaintiff with Ld. Counsel Ms. Riya Goyal.
Defendant no.1, 2, 3, 4 & 7 are exparte.
Sh. Gaurav Dalal, Ld. Counsel for the defendant no. 5.
Sh. Mohit Sharma, Ld. Counsel for the defendant no.6/MCD
through VC.

Ld. Counsel for the plaintiff filed an application under Order XIV Rule 5 read with Sec. 151 CPC for modification in issue no.1 and another application under Order VII Rule 14 read with Sec. 151 CPC for taking some documents on record.

Copy of both the applications supplied to Ld. Counsel for the defendant who stated that defendant does not wish to file reply to the application and he is ready to make his submissions today itself.

Heard on both the applications. Case file perused.

Order on application under Order XIV Rule 5 read with Sec. 151 CPC:

It is stated in the application that issues framed vide order dt. 13.05.2026 and in issue no.1 the shop number is written as *G-10 on the ground floor* instead of *B-1 on the basement floor*, so, the issue number 1 is required modification to that effect only.

Ld. Counsel for the defendants submitted that defendants have no objection if the issue no.1 is modified/re-framed as prayed in the application.

In view of above and considering the fact, the issue no.1 framed on 13.05.2026 is now read as:

“Whether plaintiff’s wife Kamal Jyoti appointed defendant no.1 as Head Incharge in Whether plaintiff’s wife Kamal Jyoti appointed defendant no.1 as Head Incharge in her beauty saloon/parlor running at the basement shop of property i.e. shop no.B-1, on basement floor her beauty saloon/parlor running at the basement shop of property i.e. shop no. B-1, on basement floor at plot no.6, Local Shopping Centre, Mayur Vihar Phase-I, Delhi-110091? OPP”

Accordingly, application of plaintiff filed under Order XIV Rule 5 read with Sec. 151 CPC is disposed off as allowed.

Order on application under Order VII Rule 14 read with Sec. 151 CPC:

It is stated in the application that Anil Estate Private Ltd. gave a letter dt. 18.02.2025 to the SHO, PS Pandav Nagar disclosing therein about its letter dated 19.11.2022 which was given to the Court of Estate Officer, DDA Land Management, East Zone wherein, name of the person who had purchased different shop is given and he has mentioned the name of plaintiff as buyer of shop no. B-1, B-8, B-9, G-10 located in plot No.6, LSC, Mayur Vihar, Phase-I, Delhi. The said letter dt. 18.02.2025 has already been filed. However, the letter of Anil Estate dt. 19.11.2022 alongwith list has not been attached alongwith the letter dt. 18.02.2025. Now, plaintiff came to know this fact when his evidence affidavit was preparing so the letter dt. 19.11.2022 alongwith the list be taken on record for just and proper disposal of the case.

Ld. Counsel for the defendant no.5 opposed the application stating that earlier plaintiff filed similar application but there is nothing in that application that some more documents are yet to be filed. So, the application be dismissed with cost.

It is pertinent that letter of Anil Estate dt. 18.02.2025 is on record wherein it has disclosed about the letter dt 19.11.2022 in para 5 of the said letter. So, considering the facts and circumstances of the case and the fact that plaintiff yet to examine and cross-examine and defendant has every opportunity to cross-examine the witnesses so, the aforesaid application is disposed off as allowed. However, the delay has caused in the disposal of the matter so, plaintiff is burdened with cost of Rs.3,000/- to be paid to the defendant no.5.

The aforesaid application is disposed off accordingly.

Put up for P.E. on **20.08.2026**.

(Ravinder Singh-I)
District Judge-03
East District, KKD Courts,
Delhi, 20.07.2026