

28.03.2024

Present: Mr. A.N Aggarwal, Ld. Counsel for the plaintiff.  
Mr. Sanjay Gupta, Ld. Counsel for the defendant.

An application under Section 151 CPC has been filed on behalf of the plaintiff.

Copy of the application is supplied.

Record is perused.

A miscellaneous application under Order 7 Rule 14 r/w Section 151 CPC filed by the plaintiff is yet to be decided.

Evidence cannot be recorded before deciding of the application.

As such, the application under Section 151 CPC is allowed and it is directed that the application under Order 7 Rule 14 of CPC will be decided before starting to record plaintiff's evidence.

Ld. Counsel for the plaintiff points out that the legal heirs of the deceased defendant have still not complied with the order dated 26.04.2022 in as much as they have not filed affidavits in support of the amended written statement.

Ld. Counsel for the legal heirs of the deceased defendant submits that he will file affidavits of all the legal heirs within five days from today.

Let the same be filed after supplying advance copy to the Ld. Counsel for the plaintiff.

Let replication to the amended written statement be filed within two weeks from today.

Let copy of the application under Order 7 Rule 14 of CPC and accompanying documents be supplied to the Ld. Counsel for the defendant within one week from today against acknowledgment.

To come up for arguments on the said application on 25.07.2024.

(Shirish Aggarwal)  
Additional District Judge-03  
Patiala House Courts, New Delhi  
28.03.2024