

RCT No.16/17

Janpath Guest House & Ors. Vs Banwari Lal & Anr.

(Proceedings through Video Conferencing)

17.09.2021

Present: Sh. Gagandeep Singh Proxy Counsel for
Sh. Satvinder Singh, Ld. Counsel for
appellants.

Sh. Sanjiv Behl & Sh. Udit Gupta,
Ld. Counsel for R-1.

An application for adjournment has been moved on behalf of appellants on the ground that Sh. Satvinder Singh main counsel has suffered slip disc and is unable to stand and sit for longer period.

Adjournment has been opposed on the ground that the same are dilatory tactics.

This is an appeal u/S 38 DRC Act filed against impugned order dated 15.05.2017 whereby Ld. Trial Court determined the enquiry conducted u/S 14(11) DRC Act.

In the present case, this court had disposed off the application dated 12.09.2019 seeking the direction for R-2/L&DO to file response/reply to the appeal and to the application filed by the appellant. This application

was dismissed vide order dated 06.01.2021.

Another application moved u/O 1 Rule 10 CPC r/w Section 151 CPC was also dismissed by this court with cost of Rs.1000/- vide order dated 06.01.2021.

Similarly, another application u/O 1 Rule 10 CPC r/w Section 151 CPC dated 19.12.2019 was also dismissed with cost of Rs.1000/- vide order dated 06.01.2021.

Ld. Counsel for respondent has also stated that he has filed an application for mesne damages in view of judgment of Atma Ram Properties Vs Federal Motors Ltd. Let the reply of the application dated 11.09.2019 be filed on or before 25.09.2021.

Let this case be fixed on **04.10.2021**. At the request of Proxy Counsel for appellants, date has been changed to **25.09.2021**. Interim order to continue.

(Dinesh Kumar Sharma)
Principal District & Sessions Judge/RCT
New Delhi/17.09.2021