

25.07.2024

Present : Plaintiff in person.

Mr. Kanwar Udai Bhan Singh, Ld. Counsel for the plaintiff through VC appearing from his car while driving.

Mr. Z. Azam, Ld. Counsel for the defendant.

Ld. Counsel for the plaintiff submits that he has not received copy of the application of the defendant for recall of order dated 24.02.2023.

As per the report of the Ahlmad, notice of the application was served upon the plaintiff himself on 19.03.2024.

On asking by the Court, plaintiff denies having received any notice on 19.03.2024. He states that he was on duty on that day.

At this stage, the acknowledgment appearing on the report of the Process Server is shown to the plaintiff.

Plaintiff admits that the signatures on the report are indeed his.

In view of this admission of the plaintiff, it is clear that notice was indeed served upon the plaintiff. Notice was sent alongwith copy of the application. False submission has been made that notice was not served upon the plaintiff.

The Court does not deem it fit to again direct the defendant to supply copy of the application.

Matter is adjourned.

Plaintiff is at liberty to obtain certified/uncertified copy of the application of the defendant under Section 151 CPC.

Before parting with the case, the Court deems it fit to request the Ld. Counsel for the plaintiff to never appear before the Court while driving his car or from his car.

The option given to the Counsels to appear through video conferencing does not mean that the Counsels take a liberty of appearing before the Court from their cars and that too while driving the car.

To come up for arguments on the application of the defendant on 30.01.2025.

Let copy of the reply to the application, if any, be supplied to the Ld. Counsel for the defendant atleast 15 days prior to the next date of hearing.

At this stage, Ld. Counsel for the defendant submits that copy of the plaint and accompanying documents supplied to the defendant are not legible.

He requests that direction be given to the plaintiff for supplying of legible copy of plaint and documents.

On asking by the Court, Ld. Counsel for the defendant has shown copy of the plaint and accompanying documents which were supplied to the defendant.

Copies are indeed illegible.

Ld. Counsel for the defendant submits that the submission could not be made on an earlier date since the defendant was in jail.

In view of the above submissions, plaintiff is directed to supply legible copy of the plaint and accompanying documents to the Ld. Counsel for the defendant within two weeks from today and against acknowledgment.

(Shirish Aggarwal)
District Judge-03
Patiala House Courts, New Delhi
25.07.2024