

CS 28/25

YOGENDER KUMAR Vs. DHARAMVEERI DEVI

21.08.2025

Present: Sh. Vinay Kumar, Proxy counsel (Enrl No.D-5050/15) for Sh. Pankaj Sharma, Counsel for the plaintiff alongwith the plaintiff.  
Sh. Irfan Khan, Counsel for the defendant no.1, 2 and LRs of defendant no.3.  
Ms. Prathma Panchal, Proxy counsel (Enrl No.D-5762/23) for Sh. Shivam Panchal, Counsel for defendant no.4 with defendant no.4 in person.  
None for defendant no.5.

Ld. Counsel for plaintiff submits that previous cost has not been paid since it has not been specified in the previous order as to whom the cost is to be paid. In view of the submission, **the plaintiff is directed to deposit the cost in DLSA, North East today itself and file the receipt during the course of the day.**

Ld. counsel for plaintiff has filed fresh application under Order 6 Rule 17 CPC along with amended memo of parties and proposed amended plaint with affidavit.

Ld. counsel for defendants submit that copies of aforesaid application have been received by them yesterday evening. They seek sometime for filing reply to the application.

Perusal of record reveals that defendant no.5 has not been served so far. Though Sh. Irfan Khan, Advocate had filed his memo of parties for defendant nos. 1,2, & 5 on 04.04.2025, however, he submits that there is error in the memo of appearance as he had the instructions to appear for defendant nos.1, 2 and LRs of defendant no.3. It is further revealed that vakalatnama of Sh. Irfan Khan, Advocate for defendant no.1,2 and LRs of defendant no.3 is not on record. **Ld. Counsel has assured to file his vakalatnama within two days.**

Reply to the fresh application under order 6 Rule 17 CPC, if any, be filed within 15 days after supplying advance copy to plaintiff through counsel.

Ld. Counsel for plaintiff submits that the plaintiff can get defendant no. 5 served dasti, if dasti summon is issued.

In view of submission, plaintiff is directed to take steps within two days for fresh service of defendant no.5 on PF to be served dasti, returnable on the next date.

Put up for arguments on the application under Order 6 Rule 17 CPC and appearance of defendant no. 5 on **23.09.2025**.

(SUKHVINDER KAUR)  
Principal District & Sessions Judge  
North-East, Karkardooma Courts,  
Delhi/21.08.2025