

**Vijender Kumar
Vs.
Hoshiari Devi & Ors.**

09.12.2019

Present: Sh. Harish Dua, Ld. Counsel for plaintiff with
plaintiff in person.
None for D-1/Counter Claimant.
D-2 is the SHO.

Perused the complete record file. No relief as
such has been sought against D-2. D-2 is neither
necessary nor party to the present suit. Accordingly, D-2
is deleted from the array of parties.

Despite various opportunities, D-1 has failed
to argue her application under Order I Rule 10 CPC. The
said application is dismissed for non-prosecution. Since
none is appearing for and on behalf of D-1, she is
proceeded ex-parte in this suit.

The defendant no. 1 has filed the counter
claim alongwith her WS which was ordered to be
separated vide order dated 07.09.2015. The concerned

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Ahlmad has not separated the said counter claim till date. In the counter claim, there are four counter claimants, however, none of the counter claimants is appearing. The application of D-1 seeing impleadment of counter claimants no. 2 to 4 in the main suit has been dismissed in default today itself. Due to the non-appearance of the counter claimants, the counter claim is dismissed in default and for non-prosecution.

Put up for ex-parte PE on **10.02.2020**.

**Kiran Gupta
ADJ-03, Rohini Courts
North District, Delhi
09.12.2019**