

SANDEEP GUPTA Vs. RAJESH CHAUHAN

27.02.2026

Present: Sh. Vishal Soni, counsel for the plaintiff.

Sh. Naveen Yadav, Counsel for the defendant.

ORDER

1. Counsel for the defendant presses his application u/o 9 rule 7 CPC dated 06.01.2026.
2. Counsel for the defendant contends that he was served at address i.e. House No. C-4/43, Sector –11, Rohini but defendant has been residing at House No.15, Sector – 53, Gighore, Gautam Budh Nagar, UP since, 2018.
3. Per contra, counsel for the plaintiff contends that a legal notice was sent by the defendant dated 10.09.2024 to the plaintiff wherein the address of Houe No. C-4/43, Sector – 11, Rohini is mentioned by the defendant as his address and thus, the plea now taken, is incorrect.
4. Heard. File perused.
5. Submissions on behalf of the defendant that he was served at address i.e. House No. C-4/43, Sector –11, Rohini but defendant has been residing at House No.15, Sector – 53, Gighore, Gautam Budh Nagar, UP since, 2018, is without basis. This submission is rejected as :
6. Perusal of record shows that a legal notice was sent by the defendant dated 10.09.2024 to the plaintiff wherein the address of House No. C-4/43, Sector–11, Rohini is mentioned by the defendant as his address and thus, the plea now taken, is incorrect. Further, there is a report of refusal on fresh address of defendants i.e. Flat No.277, Upper

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Ground Floor, Dwarkadhish Apartment, Sector – 26, Rohini, Delhi.

7. However, case is at initial stage. Further, prayer in the suit is for recovery of Rs.33 lacs with interest. It will be in the interest of justice to dispose off the present application by adequately compensating the plaintiff by way of costs and balancing the interest of the defendants, so as to give them fair opportunity of defence.

8. **The application u/o 9 rule 7 CPC dated 06.01.2026, is disposed off with the following directions :**

- a. Defendants shall file their written statement with copy to opposite counsel before 02.04.2026.
- b. Defendants shall pay costs of Rs.25,000/- by way of demand draft in name of the plaintiff before 02.04.2026 failing which the present application shall be deemed to have been dismissed.
- c. Defendants shall not delay the case at any stage and help the court in expeditious disposal.

9. At the request of the counsel for the defendants, now, to come up for completion of pleadings of the parties, filing of affidavit of admission/denial of the documents, for framing of the issues on **20.07.2026.**

(VIKRAM BALI)
DISTRICT JUDGE-2/NORTH/
ROHINI COURT/DELHI/27.02.2026