

26.05.2026.

Present: Ms. Swati Singh, counsel for the plaintiff/applicant.
Ms. Deepika and Sh. Raghav Tyagi, counsels for the defendants.

Arguments heard on the application U/o 9 Rule 9 CPC. It is stated in the application by the plaintiff that the non-appearance on behalf of the plaintiff on 19.03.2026 was not deliberate. The reply to the same had already been filed. The same has been perused. The restoration application was filed promptly on 04.04.2026. Keeping in view the totality of the circumstances and the fact that the rules of procedures are hand maid to justice, the aforesaid application is allowed subject to cost of Rs.10,000/- to be payable to the defendants.

Subject to the payment of the costs, the suit shall be restored to its original number.

Having restored the suit, it has come to the notice of this Court that another application U/o 22 Rule 4 CPC with regard to D-3 was pending. The same has been perused. It is accompanied with the application U/s 5 Limitation Act for seeking condonation of delay of 87 days. Keeping in view the totality of the circumstances, this application is also allowed subject ot costs of Rs.5,000/- to be deposited with the DLSA, North District.

The suit is for partition. The plaintiff is accordingly directed to file the ownership documents of the suit property.

To come up for clearance of the costs and filing of the ownership documents on **24.10.2026**.

One copy of this order be kept on the Misc. file. The Misc. file shall remain tagged with the main file.

(Sidharth Mathur)
District Judge-01(N)/Rohini
Courts Delhi/26.05.2026(RJ)