

14.08.2025

Present: Sh. Amit Chaudhary, counsel for the plaintiff through VC.

Sh. Kuldeep Mansoob, Counsel for the defendant No.1
through VC.

Sh. Pankaj Sehrawat, proxy counsel for the defendant no.2.

Proxy counsel for the defendant no.2 seeks time to file
amended application u/o 1 rule 10 CPC.

Counsel for the plaintiff states that it is not clear from the
written statement of the defendant no.2 as to whether, Smt. Tanya Goel
was nominee in both the FD and savings bank account of deceased Rajat
Gupta (son of the plaintiff).

Proxy counsel for the defendant no.2 states that in the
amended application, he will clarify this issue as well.

Counsel for the defendant no.1 presses his application
supported by affidavit dated 04.11.2024 for setting aside ex-parte order
dated 30.07.2024.

It is argued by the counsel for the defendant no.1 i.e. Smt.
Tanya Goel was not duly served in the suit so the ex-parte order dated
30.07.2024 be set aside.

Per contra, Counsel for the plaintiff states that appropriate
orders, as per record, be passed.

Heard. File perused.

Perusal of record shows that the defendant no.1 i.e. Smt.
Tanya Goel was not duly served in the suit so the ex-parte order dated
30.07.2024, is liable to be set aside.

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Accordingly, order dated 30.07.2024 proceedings ex-parte against defendant no.1, is set aside to that extent.

Counsel for the plaintiff states that he will supply complete copy of the chain and documents to the counsel for the defendant no.1 during course of the day.

Let written statement be filed by defendant no.1 within the statutory time limit with advance copy thereof to the opposite counsel.

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 and for addressing the arguments on the application u/o 1 rule 10 CPC by defendant no.2, on **02.12.2025**.

(VIKRAM BALI)
DISTRICT JUDGE-2/NORTH/ ROHINI
COURT/DELHI/14.08.2025