

RAMESHWAR Vs. LAXMI AND ORS

19.09.2022

Present: Sh. Yatendra Khatri-Ld. Counsel for the appellant.
Sh. Arpit Verma-Ld. Counsel for the respondent.

Ld. counsel for the respondent has filed an application u/o IX Rule 7 CPC for setting aside the orders dated 06.06.2022. Copy of the said application has been supplied to the opposite party.

Perusal of the record of the case reveals that on 06.06.2022, respondents were proceeded against ex-parte. However, subsequently Mr. Arpit Verma, the advocate on behalf of the respondent had appeared and he was apprised of the orders passed on that day by the Ld. predecessor of this court.

Without filing any reply, Ld. counsel for the appellant states that the said application may be allowed subject to the costs.

Keeping in view the submissions of the Ld. counsel for the appellant and that of the Ld. counsel for the respondents and also keeping in view the fact that the counsel for the respondents had appeared on 06.06.2022 itself, the application filed by the counsel for the respondents is allowed subject to the costs of Rs. 2,000/- to be paid by the respondents to the appellant. The orders dated 06.06.2022 whereby the respondents were proceeded against ex-parte are hereby set aside.

Now to come up for payment of the costs of Rs. 2,000/- and for arguments in the present appeal on **31.10.2022**.

(Raj Kumar)
ADJ-02/ North/ Rohini Court
Delhi/19.09.2022