

New CS No. 578042/16

Old CS No. 193/16

05.10.2016

Present : Plaintiff with counsel Sh. Sanjay Gupta.

Sh. Yasharth Gupta, counsel for defendant nos. 1 & 2.

Sh. Rajiv Kumar, proxy counsel for defendant nos. 3, 4, 5 & 6.

Three applications alongwith replication qua W/S of defendant nos. 1 & 2 and W/S of defendant nos. 3, 4, 5 and 6 are filed. Copies are supplied respectively.

The application filed u/s. 151 CPC on behalf of the plaintiff is taken up vide which plaintiff is seeking prayer against defendant nos. 1 & 2 for supplying the details of their officials posted at Prashant Vihar Branch. At the outset, it is mentioned that this is not the matter in issue in the present case vide which, any mandatory injunction has been sought by the plaintiff. It is stated by the plaintiff that there are other pending litigations in between the parties and defendant nos. 1 & 2 herein are not providing the information which is sought vide this application. Thus, any information which is not pertaining to the matter in issue and which as appearing pertaining to some other criminal case is not required to be sought in the present case. Therefore, this application filed u/s. 151 CPC by the plaintiff is not maintainable in the eyes of law, hence, it is dismissed.

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: 2 :

Another application u/O. 11 Rule 12 CPC is filed. Copies have been supplied to defendant nos. 1 & 2. Counsel for defendant nos. 1 & 2 seeks some time to file the reply of this application. At request, one opportunity is granted.

Third application filed on behalf of the plaintiff is seeking waiver of cost. Arguments heard. Record perused.

Perusal of the record reflects that the cost has been rightly imposed upon the plaintiff, however, at the request of counsel for plaintiff, the cost is reduced to Rs. 3000/-. Plaintiff however, prays for one opportunity for payment of cost. At request, one opportunity is granted.

Put up for payment of cost, filing of reply on application u/O 11 Rule 12 CPC as well as for framing of issues for 30.11.2016.

(Prashant Kumar)
ADJ-4(NW): Rohini Courts
05.10.2016