

Santosh Aggarwal vs. Pran Pahuja

CS No. 601/18

09.10.2018

Present : Plaintiff in person along with learned Counsel Sh. Pranay Garg.

Defendant in person along with learned Counsel Sh. Ashish Bhardwaj.

The learned Counsel for the defendant has moved an application under Section 114 Order 47 Rule 1 and under Section 148 and Order VIII Rule 1A r/w Sec. 151 CPC, praying therein to review/modify the order dated 28.08.2018 whereby the defence of the defendant was struck.

The learned Counsel for the plaintiff states that he does not want to file any reply to the application under reference and has “no objection” if the same is allowed subject to cost.

Accordingly, in view of the cause submitted in the application and “no objection” accorded by the learned Counsel for the plaintiff, the application under reference stands allowed subject to imposition of cost of Rs. 10,000/- upon the defendant as today is the 89th day from the date i.e. 10.07.2018 of service of summons upon the defendant. Consequently, the order dated 28.08.2018 whereby the defence of the defendant was struck off, is set aside. The application under reference accordingly stands disposed of.

Costs paid by the defendant. Written statement filed. Copy supplied.

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Put up for filing of replication, admission/denial, if any, of the documents as well as for framing of issues on 27.11.2018.

(RAJNISH BHATNAGAR)
Distt. & Sessions Judge (N/W)
Distt. Court Rohini, Delhi
09.10.2018