

CNR No. DLNW01-009307-2022  
CS DJ 840-22  
Meena Jain & Ors. v. Dy. Director (DDA) & Ors.

27.03.2025

File received by transfer.

It be checked & registered.

Present: Ms. Ritu Jain, proxy for Sh. Archit Singhal, Adv. for plaintiff.

Sh. Varun Khara, proxy for Sh. Jatin Aggarwal, Adv. for DDA/defendant no.1.

None for defendant no.2.

Sh. Sunil Kumar, Adv. for defendant no.3.

Sh. Vishal Soni, Adv. for defendant no.4.

Defendant no.5 has already been struck off.

There is an application u/o. I Rule 10 CPC moved by Sh. Hari Om Jindal but that was dismissed in default vide order dated 22.07.2024. Thereafter, an application was moved for restoration of that application. The reply to the same has yet not been filed.

Ld. counsel Mr. Soni appearing on behalf of the applicant Hari Om Jindal submitted that Hari Om Jindal does not want to press his application moved u/o. I Rule 10 CPC. His statement to this effect recorded separately. In view of the same, the application moved for restoration of that application is dismissed as not pressed.

Record shows that in this case there is another application moved by defendant no.1 Deputy Director (DDA) u/o. IX Rule 7 CPC on 22.07.2024. The necessity to move this application had arisen because on 09.10.2023 due to non-appearance of anybody from the side of DDA, the defence of DDA was struck off. The record also reflects that on the same day i.e. on 09.10.2023 WS on behalf of defendant no.1 had also been filed as reflected from the record. Copy

of the application u/o. IX Rule 7 CPC has been supplied to the plaintiff but till date no reply to the application has been filed. Record shows that copy of application u/o. IX Rule 7 CPC was supplied to the counsel for the plaintiff on 22.07.2024 and they sought time to file reply. Since then till date, more than six months have passed but still they have not filed the reply. It clearly shows that they have nothing to oppose the same and that is why they are not filing the reply. Even otherwise, the record shows that defence of defendant was struck off on 09.10.2023 but on the same day the WS was filed which was taken on record. Hence, even otherwise this application is to technically bring them on record when otherwise their defence is already taken. Hence, the application is allowed.

Replication to the WS of defendant no.1 be filed within 15 days from today with advance copy to the opposite counsel. Plaintiff is also directed to file affidavit of admission/denial. Plaintiff is also directed to submit the proposed issues on the next date of hearing.

Affidavit of admission/denial as well as proposed issues on behalf of defendants no.4 & 5 filed. Copy supplied.

An application for appointment of LC for recording of evidence has already been moved on behalf of defendant no.4. Copy supplied.

**Now to come up for admission/denial and framing of issues  
15.04.2025.**

(Virender Kumar Bansal)  
Principal District & Sessions Judge (NW)  
Rohini Courts, Delhi/sb