

SANJAY KUMAR Vs. RAVI MOHAN KALRA

24.03.2025

Present: Ms. Soumya Chugh, Ld.Counsel for appellant.
Sh. Sudhir Kumar Singh, Ld.Counsel for R1.
None for R2.

Submissions on the application of respondent no.1
filed Under Section 151 CPC heard.

By way of said application, the applicant is seeking
two reliefs. First is for summonin of Sh.Balram Sharma and his
son Sh. Madhukar Sharma and second is to dismiss the appeal as
appellant/Sanjay Kumar is not in possession of any portion of
property bearing no. VP-248A, Ground Floor, Pitampura, Delhi.

The Balram Sharma was arrayed as defendant no.1
in the suit which has been decreed in favour of respondent no.1
for possession of the aforesaid property and money decree on
account of mesne profits etc.

The appellant was arrayed as defendant no.1 in the
suit and has filed the present appeal in which Sh. Balram Sharma
has been arrayed as respondent no. 2. The notice of the appeal
has been served upon Sh. Balram Sharma through his son on
05.02.2024. No appearance has been filed by him before this
Court. Thus, in the facts where respondent has been served and
choses not to appear before the Court and not to challenged the
order passed against him, there is no need for re issuance of
notice to him for the disposal of the appeal.

In respect of second prayer in the application, the contentions made in the appeal are to be considered. The application is disposed of accordingly.

Put up for arguments on the appeal on **30.05.2025**.

(SUNIL CHAUDHARY)
DJ-04/North-West
RHC/Delhi 24.03.2025