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CS DJ
62/23
SUMITRA DEVI
Vs.
SHIV PRASHAD

08.05.2024

Present : Sh. Ansar Ahmed, Ld. Counsel for the plaintiff with both the plaintiffs.
Sh. Rahul Dhamija, Ld. Counsel for the defendant no. 1 and 2.
Defendant no. 3 and 5 in person.

Summons were issued to the defendant no. 3 to 6. Same have been received back unserved upon the defendant no. 3 that he does not reside at that address. Summons issued to the defendant no. 4 through speed post received back but the report is not legible.

Fresh summons be issued to the defendant no. 4 through dasti mode, on filing of PF within 07 days from today.

Summons issued to the defendant no. 4, 5 and 6 through ordinary process not received back. However, the defendant no. 3 and 5 have appeared. Their copy of self attested I cards is retained on record. The defendant no. 6 had appeared on the LDOH.

The defendant no. 3, 5 and 6 are given opportunity to file WS, if any by the NDOH.

The matter was listed for reply/ arguments on application u/o 7 rule 11 CPC. Reply along with an application u/o 1 rule 10 CPC,

-: 2 :-

application u/o 6 rule 17 CPC, documents and vakalatnama filed on behalf of the plaintiff. Copy supplied.

Ld. Counsel for the defendant submits that there was a specific direction for supplying of the copy in advance. It was also directed that failure to do so shall result in imposition of cost of Rs. 3000/-. Hence, the plaintiff may be directed to pay the cost.

Ld. Counsel for the plaintiff submits that he was engaged by the plaintiffs recently. Hence, the cost may be waived of.

Considering the facts and circumstances, the cost is reduced to Rs. 1500/-. Same be paid positively by the NDOH.

Notice of the application u/o 1 rule 10 CPC be issued to the proposed defendant on filing of PF within 07 days from today.

Now, to come up for reply/ arguments on application u/o 7 rule 11 CPC on **26.09.2024**. Advance copy of the reply be supplied to the opposite party atleast 15 days prior to the next date of hearing.

(RUCHIKA SINGLA)
DJ-03 (N/W)
Rohini Courts :Delhi/08.05.2024