

Item No. 16

CS DJ No. 7958/16

Ashutosh Jana v. Dharmendar Singh

08.01.2026

Present: Sh. Chakradhar Panda, learned LAC for plaintiff.

None for LRs of defendant no. 1.

None for defendant no. 2.

Sh. P. K. Agarwal and Ms. Rashmi Gupta, learned counsel for defendant no. 3.

Defendant no. 3 in person.

Be awaited.

[Kuldeep Narayan]  
District Judge - 02  
South-East District  
Saket Courts, Delhi  
08.01.2026 / bh

At 11.05 a.m.

Present: Sh. Chakradhar Panda, learned LAC for plaintiff.

None for LRs of defendant no. 1.

Sh. Rahul Tripathi, learned counsel for defendant no. 2 alongwith defendant no. 2.

Sh. P. K. Agarwal and Ms. Rashmi Gupta, learned counsel for defendant no. 3.

Defendant no. 3 in person.

Submissions heard. Record perused.

Present is a suit for cancellation of title documents, recovery of possession, damages and permanent injunction filed by plaintiff Ashutosh Jana against defendant no. 1 Dharmender Singh and defendant no. 2 Harikant Tripathi.

After service of summons, defendant no. 1 contested the suit by filing the written statement.

Defendant no. 2 did not appear and was proceeded against ex-parte vide order dated 11.12.2014.

Subsequently, vide order dated 26.05.2016 the said ex-parte order was set-aside subject to costs of Rs. 1,500/- to be paid to the plaintiff.

Defendant no. 2 also filed written statement.

During the course of proceedings, defendant no. 1 expired.

Vide order dated 18.03.2021, application under Order 1 Rule 10 CPC and under Order 22 Rule 4 CPC filed by Ayushi Shah and application under Order 22 Rule 4 CPC filed by the plaintiff to bring the LRs of defendant no. 1 on record were allowed.

Subsequently, vide order dated 17.01.2023, application under Order 6 Rule 17 CPC filed by the plaintiff was allowed and plaintiff was directed to value the suit at Rs. 50,00,000/- for the purpose of Court Fees and jurisdiction.

Plaintiff was also directed to file amended plaint alongwith Court fees.

By the same order, applications under Order 7 Rule 11 CPC filed by the defendant no. 1 and 2 were dismissed.

Thereafter, plaintiff filed amended plaint alongwith one application under Order 33 Rule 1 CPC.

Vide order dated 08.06.2023, LRs of defendant no. 1 were proceeded ex-parte.

Plaintiff was also examined in respect of application under Order 33 Rule 1 and 2 CPC.

Further arguments heard on the application under Order 33 Rule 1 CPC filed by the plaintiff.

List the case for orders on the abovesaid application on 21.02.2026.

**[Kuldeep Narayan]  
District Judge - 02  
South-East District  
Saket Courts, Delhi  
08.01.2026 / bh**