

CS DJ No:- 148/23

**ASHOK KUMAR TIWARY Vs. DELHI CHINMAYA SEWA
TRUST**

31.03.2023

Present:- Sh. Rajnish Ranjan, Ld. Counsel for the plaintiff.
Ms. Shreya Chanda, Proxy Counsel for defendants
no. 1 and 2.

Summons issued against defendants no. 1 and 2
received back served on 28.03.2023.

Proxy Counsel for defendants undertakes to file
Vakalatnama on record on behalf of defendants during the course
of the day.

At this stage, Ld. Counsel for plaintiff has pressed his
application under Order XXXIX Rule 1 and 2 CPC. However, it
is submitted on behalf of defendants no. 1 and 2 that said
application is already infructuous as post of the Principal at
Chinmayava Vidhyalaya School Uchahar had already been filled
in February, 2023.

Ld. Counsel for plaintiff has placed his objections to
the same that due process of law in alleged appointment has not
been followed.

Be that as it may, let written statement be filed within
stipulated period of time.

Put up for reply and arguments on application under
Order XXXIX Rule 1 and 2 CPC for **02.06.2023**.

(Akash Jain)
ADJ-1 (South-East), Saket Court
New Delhi/31.03.2023