

CS – 1080/19

Subhash Chander Vs. Brij Mohan Mishra

16.12.2019

Present: Sh. S.N. Gupta, Counsel for plaintiff

Defendant no.3 in person

Proxy Counsel has filed vakalatnama on behalf of main counsel Sh. M.M. Ansari for defendants no. 1 and 2

Defendants no. 1 and 2 were served on 11.12.2019 as per report of process server.

Defendant no.3 has stated that he received the summons alongwith plaint on 10.12.2019. Though unserved as per report of process server.

Sh. Neeraj Verma from Office of defendant no.4/Sub Registrar-V, Lajpat Nagar.

Defendant no.5 duly served on 11.12.2019.

Mr. Ravinder Kumar, Official from office of defendant no.6 alongwith Sh. Deepak Pathak, Adv., filed vakalanama.

Report on affidavit filed by defendant no.4 alongwith documents. Copy supplied.

Reply filed by defendant no.6 alongwith documents. Copy supplied. **Accordingly, defendant no. 4 and 6 being public officials stand discharged with directions that they shall be summoned as and when required.**

Defendant no. 1, 2, 3 and 5 are directed to file written statement / reply to application under Order XXXIX R 1 and 2 CPC within 30 days with copy to the opposite side through any of the prescribed modes. Thereafter, replication be filed within 4 weeks with copy to the opposite side through any of the prescribed modes.

At this stage, counsel for plaintiff has pressed his **application under Order XXXIX R 1 and 2 CPC**. Without going into the merits of the case, so that the relief does not become infructuous and to avoid multiplicity of litigations, **defendants are directed to maintain status quo regarding ownership, possession and construction in the suit property till the disposal of application under Order XXXIX R 1 and 2 CPC.**

Put up for completion of pleadings and arguments on application under Order XXXIX R 1 and 2 CPC on **03.03.2020.**

(SURYA MALIK GROVER)
ADJ-01(South East) Saket Courts
New Delhi/16.12.2019 (sm)