

CS no. 01/19

Bhupender Gupta Vs. Sudarshan Kumar and Anr.

19.10.2019.

Present: Sh. Keshar Singh, counsel for plaintiff alongwith plaintiff
Sh. Aditya Giri, counsel for defendant no. 1 with
defendant no.1

Counsel for defendant no.2 with defendant no.2

Fresh vakalatnama has been filed by counsel for plaintiff

Counsels for defendant no.2 has submitted that though
copies had been supplied and written statement has also been filed,
Partition Deed and the site plan as filed by plaintiff is not legible and
hence, plaintiff may be directed to supply legible copies of the same.

Be supplied within a week against receipt.

Defendant no.1 could not be served through court
process. Written statement was filed on 09.05.2019 alongwith reply to
application under Order XXXIX Rule 1 and 2 CPC and application
under Order VIII Rule 1 CPC seeking condonation of delay.

Part arguments heard on application under Order VIII
Rule 1 CPC. **Let appropriate documents in support of para no.3 of
application be filed** with copy to the opposite side through any of the
prescribed modes one week prior to next date.

So far as defendant no.2 is concerned, written statement
has been filed on 02.08.2019. Written statement is not supported with
any application seeking condonation of delay. Counsel seeks two
weeks adjournment for moving appropriate application. Heard.

Contd.../-

Allowed. Be filed with copy to the opposite side through any of the prescribed modes. Reply to XXXIX Rule 1 and 2 application and application under Order VII Rule 11 CPC alongwith documents annexed with a list have also been filed. Heard. **Notice. Copy already supplied. Reply to application under Order VII Rule 11 CPC be filed** with copy to the opposite side through any of the prescribed modes two weeks prior to next date.

Both the defendants have sought copy of written statement filed by the other as their interest are adversed to each other. Heard. **Allowed.** Copy of written statement be supplied to each other within two weeks.

Put up for reply and arguments on application under Order VII Rule 11 CPC, replication to written statement filed by defendants on **25.01.2020.**

(Surya Malik Grover)
ADJ-1(South East) Saket Court
New Delhi/19.10.2019(ds)