

16 CS 1601/16
KAMLESH Vs. PREM KUMAR SARAWAT

07.09.2024

At 11:47am

Present: Sh. Parbhas Kumar Jha, Ld. Counsel for the
plaintiff along with plaintiff in person.
None for D-1.
Ms. Kriti Jain, Ld. proxy counsel for Sh. Adarsh
Srivastav, Ld. counsel for D-2.

WS, affidavit of admission and denial of documents
and application for condonation of delay in filing WS and
application under Order I Rule 10 CPC for deletion of D-2 filed
on behalf of D-2. Copy supplied.

Ld. Counsel for plaintiff, on instructions submits
that plaintiff has no objection, if the application for condonation
of delay in filing WS be allowed.

Heard. Application perused.

The matter is still at initial stage and issues are yet to
be framed. It is also settled law that all cases shall be decided on
merits and after giving proper opportunities to all the parties to
represent themselves and contest the case.

In view of the submissions, contentions made in the
application, no objection given by Ld. Counsel for plaintiff and
also considering that the matter is still at initial stage and no
prejudice would be caused to plaintiff, if the present application
be allowed, therefore, the present application is hereby allowed.

(2)

Application for condonation of delay in filing WS is accordingly disposed of.

WS of D-2 is taken on record.

Plaintiff is at liberty to file replication, if any to the WS of D-2 within 15 days from today with an advance copy to Ld. counsel for D-2.

Plaintiff is also directed to file reply to the application under Order I Rule 10 CPC within 15 days from today with an advance copy to Ld. counsel for D-2.

Ld. counsel for plaintiff submits that D-1 has not paid the previous cost.

D-1 is directed to pay the previous cost, if any on or before the NDOH.

Parties are directed to produce original documents and file proposed issues on the NDOH.

Parties are also directed to appear in person on the NDOH.

Put up for completion of pleadings, admission and denial of documents and framing of issues on **16.11.2024**.

(Deepanker Mohan)
District Judge-04
Shahdara District/KKD Courts/Delhi
07.09.2024