

30 CS No. 2320/16

AMIT GROVER Vs. PANKAJ KATYAL AND ORS

15.12.2021

**Present : Sh. Ghanshyam, proxy counsel for Sh. Sumit Sharma,
Advocate for the Plaintiff.
None for the Defendant.**

Case is listed today for hearing on the applications i.e. application under Order 12 Rule 6 CPC, application under Order 39 Rule 1 & 2 CPC and for consideration on the aspect of non payment of court fees on the counter claim. None is present for the defendant.

Vide order dated 17.11.2018, it has been observed that the counter claimant has filed e-court fees of Rs.70,664/-, and therefore, the contention of the plaintiff that the counter claim was filed without paying the court fees is not tenable.

Ld. proxy counsel for the plaintiff submits that the interim order was passed on 25.05.2018 and same be made absolute. The defendant has not been appearing in the present suit since 18.09.2020. On 25.05.2018, Ld. Predecessor of this court while passing order of status quo has duly recorded the submission of Ld. counsel for the defendant that the defendants have no intention to create third party interest in the suit property. **In view thereof, order dated 25.05.2018 is made absolute. Accordingly, application under Order 39 Rule 1 & 2 CPC stands disposed of.**

Be put up for appearance of the defendant and for hearing on the application under Order 12 Rule 6 CPC on **26.05.2022.**

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Shortest possible date is given considering the pendency as well as regular cause list. There is pendency of about 2300 cases which includes about 400 more than five year old cases in this court.

(Manjusha Wadhwa)
Additional District Judge -02
Shahdara, Karkardooma Courts,
Delhi: 15.12.2021