

02.01.2024

Present: Plaintiff in person with ld. counsel Sh. Sumit Sarna.
None for Defendants.

Matter is listed today for arguments on Plaintiff's application under Order 12 Rule 6 CPC.

No one has appeared for defendants.

Ld. counsel for plaintiff submits that the matter is being adjourned for the last many dates and adjournments are being sought by the Defendants on one pretext or the other.

Perusal of record shows that the opportunity of Defendants to advance arguments on said application was closed by Ld. Predecessor on 29.05.2023. Thereafter, an application was filed on behalf of Defendants regarding recalling of Order dated 29.05.2023, which was allowed vide Order dated 18.07.2023 and Defendants were granted an opportunity to advance oral arguments on said application of Plaintiff. Thereafter, when the matter was called on next date of hearing, Defendants did not appear. However, Defendant no. 2 had appeared at 2.25PM and he was apprised about the next date. Thereafter, again on next date of hearing i.e. 01.12.2023, when the matter was called, ld. counsel for plaintiff informed the Court that he had received a Whatsapp message regarding cervical problem of counsel for defendant and on this ground, the matter was adjourned for next date.

At this stage, Sh. Rajesh Sharma, Ld. counsel for Defendants appeared through VC and submits that he is suffering

from some dental problem and he submits that he is seeking adjournment on this ground.

Ld. counsel for plaintiff does not object to the adjournment being sought by ld. counsel for defendants on personal grounds.

Ld. counsel for both sides undertake to file written submissions within 10 days with advance copy to other side.

It is made clear to both sides that no further adjournment shall be granted to them and in case of non availability of their Advocates, parties will have to make an alternate arrangement accordingly.

Put up for arguments on said application on 08.02.2024.

(Mohammad Ehtesham)
ADJ-03(Shahdara),
KKD Courts, Delhi
02.01.2024.