

12.04.2023

Present : Sh. Pradeep Sharma Ld. Counsel for plaintiff.  
None for defendant.

Since matter was listed for arguments on application  
u/o 7 rule 11 CPC. None is present for defendant.  
Be awaited.

(Ramesh Kumar II)  
Additional District Judge-01  
SHD/KKD/Delhi/12.04.2023

(12.45 pm)

Present : Ms. Leena Sharma Ld. Counsel for plaintiff.  
None for defendant.

Be awaited.

(Ramesh Kumar II)  
Additional District Judge-01  
SHD/KKD/Delhi/12.04.2023

(02.10 pm)

Present : Ms. Leena Sharma Ld. Counsel for plaintiff.  
None for defendant.

Since matter was listed for arguments on application  
u/o 7 rule 11 CPC.

The perusal of the record reveals that none has  
appeared for the defendant since 19.11.2019 after  
filing of application u/o 7 R 11 CPC. Even today  
none is present on behalf of the defendant since  
morning despite repeated calls. It seems that  
defendant is not interested in pursuing this suit as

well as the application u/o 7 rule 11 CPC. Accordingly, the application u/o 7 rule 11 CPC is dismissed for non-prosecution and defendant is proceeded ex-parte.

Further perusal of record shows that WS of defendant is already on record and rejoinder to the same was also filed by the plaintiff.

Since pleadings are complete.

From the pleadings of parties, following issues are framed:-

1. Whether the present suit is without any cause of action? OPD.
2. Whether the plaintiff is entitled to recovery of Rs. 50,31,704/- from defendant as prayed for? OPP
3. Whether the plaintiff is entitled to interest on the said amount and if so, to what extent and for what period ? OPP
4. Whether the plaintiff is entitled to decree of mandatory injunction as prayed for? OPP.
5. Whether the plaintiff is entitled to decree of permanent injunction as prayed for? OPP.
6. Relief.

No other issue arises or is pressed for.

Put up for PE on 22.05.2023. List of witnesses be filed within 15 days.

(Ramesh Kumar II)  
Additional District Judge-01  
SHD/KKD/Delhi/12.04.2023