

CS No. 2073/16

05.09.2020

(Matter is taken up through VC)

Present : Sh. C.S. Tomar, Id. Counsel for plaintiff (through VC).
None for defendant.

This is the first date after lock down when this matter has been taken up through VC in compliance of office orders bearing nos. 26/DHC/2020 dated 30.07.2020; 322/RG/DHC/2020 dated 15.08.2020 of Hon'ble High Court; office order nos 3755-3776/Judl./SHD/2020 dated 31.07.2020; 3894-3914/Judl./SHD/2020 dated 16.08.2020 of Ld. District & Sessions Judge, Shahdara and 4078-4097/Judl./SHD/2020 dated 29.08.2020 of Ld. District & Sessions Judge, Shahdara.

The matter is stated to be fixed for arguments on miscellaneous applications for framing of additional issues and under Order 1 Rule 10 (2) CPC for striking out the defendant. However, none is present on behalf of all the defendants today through VC.

Perusal of the record reveals that an additional issue qua limitation was framed while disposing of the application under Order 7 Rule 11 CPC. Perusal of the application seeking framing of additional issue confirms that the issue sought to be framed by the defendants pertains to law of limitation only. Hence, in these circumstances, the application for framing of additional issue has become infructuous. Accordingly, the same is disposed of.

Now this matter to come up for arguments on the pending application under Order 1 Rule 10 (2) CPC on 24.12.2020.

(Vineet Kumar)
Additional District Judge-01
SHD/KKD/Delhi/05.09.2020