

23.10.2021

(Matter is taken up through physical hearing)

Present : Sh. Pramod Singh, ld. counsel for plaintiff a/w
plaintiff.

Perusal of the record reveals that vide order dated 08.01.2021, last and final opportunity was granted to the defendant no. 1 to 3 for payment of cost and it was directed that in case of failure, WS would be taken off record. However, no one is present on behalf of D1 to D3 today despite repeated calls. Accordingly, for non-payment of cost imposed by this court, WS filed by D1 to D3 is taken off record.

Otherwise, pleadings are complete with respect to D4 & D5.

At this stage, ld. counsel for plaintiff has pressed his application u/o 39 R 1 & 2 CPC, however none has appeared on behalf of D4 & D5 today despite repeated calls to address arguments on the application u/o 39 R 1 & 2 CPC. In the interest of justice, one more opportunity is granted to address arguments, however, in the meantime, D4 & D5 are directed to maintain status quo with respect to ownership as well as possession of the suit property bearing no. Z-II/384, Welcome, Seelampur, Delhi 110053 till NDOH.

Put up this matter for arguments on application u/o 39 R 1 & 2 CPC on 11.03.2022.

(Vineet Kumar)
Additional District Judge-01
SHD/KKD/Delhi/23.10.2021