

CS no. 671/2017

22/11/2017

Pr.:- Plaintiff with counsel Sh. R. K. Sahni.
Sh. Shiv Prakash Pandey, counsel for defendant.

WS has been filed by the defendant in the meantime on 09/10/2017. The defendant was served on 25/09/2017. The WS has been filed within time. Same is taken on record alongwith annexed documents.

An application under Order XXXIX Rule 1 & 2 CPC is pending adjudication.

Ld. Counsel for defendant submits under instructions that without admitting veracity of the plaintiff's claim, the defendant shall not create third party interest in the suit property during pendency of the present suit.

In view of the submissions of the defendant, defendant is restrained from creating third party interest in the suit property bearing no. 71, Hargobind Enclave, Delhi during pendency of the present suit. Application under Order XXXIX Rule 1 & 2 CPC is accordingly disposed off.

Counter claim has been filed by the defendant. Ld. Counsel for plaintiff submits that the counter claim forms part of the WS and is not in conformity with the provisions of Order VI & VII CPC. The defendant is at liberty to proceed as per law.

Put up for DAD, framing of issues, exploring chances of settlement, if any, as well as rejoinder for 15/02/2018.

Parties to appear in person for DAD.

(SHARAD GUPTA)
Addl. District & Sessions Judge-01(Shahdara),
Karkardooma, Delhi. 22/11/2017.