

19 CS 2634/16

RITU GUPTA AND ORS. Vs. USHA DHAND AND ORS.

08.05.2025

At 3:07pm

Present: Sh. Shashank Verma, Ld. Counsel for plaintiff
through VC.
Sh. Abhinav Gaur, Ld. Proxy Counsel for Shashank
Verma, Ld. Counsel for plaintiff.
None for D-1 to D-3.
Sh. Rajesh Kumar, Ld. Counsel for D-4 through VC.
None for D-5.
None for D-6.
Sh. Gulshan Kumar, Ld. proxy counsel for Sh.
Umesh Joshi, Ld. counsel for D-7.
None for D-8.
Sh. Rakesh Upadhyay(Enroll No.D/9891/2021,
Mobile No.7838153116, Office at 204-206 Bansal
Chamber, Kaushambi, Ghaizabad, U.P.), Ld. counsel
for D-9.

Speed post receipt, tracking report and original
newspaper “The Hindu” dated 12.11.2024 filed. Same are taken
on record. Perusal of the newspaper “The Hindu” dated
12.11.2024 reflects that D-1 to D-3 have been deemed served
through publication in the said newspaper. As per tracking report,
D-9 has been duly served.

(2)

Ld. counsel for D-9 submits that he has been newly engaged by D-9 i.e. Kotak Mahindra Bank. He further submits that he will file his Vakalatnama on or before NDOH. He further submits that he has only received the copy of application under Order VI Rule 17 CPC and has not received the copy of plaint along with an application under Order XXXIX Rule 1 and 2 CPC.

Ld. counsel for plaintiff undertakes to supply copies of application under Order XXXIX Rule 1 and 2 CPC, plaint and documents to Ld. counsel for D-9 within 07 days from today. **Let the same be supplied within 07 days from today.**

Upon receiving the copies of application under Order XXXIX Rule 1 and 2 CPC, plaint and documents attached with the plaint, **D-9 is directed to file replies of the application under Order XXXIX Rule 1 and 2 CPC and application under Order VI Rule 17 CPC within 15 days thereafter with an advance copy to plaintiff.**

Ld. proxy counsel for D-7 and Ld. counsel for D-8 jointly submit that they need some time to file replies of the application under Order VI Rule 17 CPC and application under Order 39 Rule 1 and 2 CPC.

In the interest of justice, **last and final opportunity is granted to D-7 and D-8 to file replies to the aforesaid applications within 30 days from today with an advance copy to opposite side.**

No reply of the aforesaid applications has been filed on behalf of D-1 to D-6 till date despite opportunity granted.

(3)

Under the present circumstances, right of D-1 to D-6 to file reply of the application under Order VI Rule 17 CPC and application under Order XXXIX Rule 1 and 2 CPC stands closed.

Put up for reply and arguments on the application under Order VI Rule 17 CPC and application under Order XXXIX Rule 1 and 2 CPC on 07.07.2025.

Interim order to be continued till the NDOH.

**(Deepanker Mohan)
District Judge-04
Shahdara District/KKD Courts/Delhi
08.05.2025**