

CS No. 517/2020

**SHARDA DEVI BHOMIA Vs. DIRECTORATE OF HEALTH
SERVICES GNCT OF DELHI, THROUGH CDMO, DELHI NED.
AND SHD.**

18.04.2022

Present : **Sh. Ankush Sharma, Advocate for the Plaintiff.**
 Sh. Pratyaksh Gupta, Advocate for the Defendant.

Case is listed today for consideration on the applications i.e. application for seeking condonation of delay in filing the written statement, application under Section 8 of Arbitration & Conciliation Act and application under Order 7 Rule 11 CPC.

Ld. Counsel for the plaintiff has filed an application under Order 12 Rule 6 CPC along with reply to the application under Section 8 of Arbitration & Conciliation Act. Copy supplied to other side.

Ld. Counsel for the defendant seeks some time to file reply to the application under Order 12 Rule 6 CPC. Let the same be filed within two weeks with copy to other side.

On the application under Section 8 of Arbitration & Conciliation Act, Ld. Counsel for the plaintiff submits that defendant has neither filed original nor certified copy of the lease agreement. He further submits that lease agreement has already expired, and therefore, arbitration clause of the said agreement is not enforceable. He has relied upon judgment of Hon'ble High

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Court of Allahabad passed in 'Union of India Thru' Secry., Ministry of Postal and another vs. Smt. Jagdish Kaur' (Writ Petition No. 21275 of 2006) decided on 10.11.2006 in this regard.

Ld. Counsel for the defendant seeks an adjournment to file original/certified copy of lease agreement and relevant citation in this regard. At his request, be put up for hearing on the aforesaid applications on **07.05.2022**.

(Manjusha Wadhwa)
Additional District Judge -02
Shahdara, Karkardooma Courts,
Delhi: 18.04.2022.