

6 CS 2632/24
Mohd Gayyur Vs. Mohd Rizwan and Ors

17.03.2025
At 10:35 AM

Present: Sh. Sandeep Tyagi, Ld. Counsel for plaintiff through VC.
Ms. Nikita, Ld. Counsel for plaintiff.
D1 is yet to be served.
Sh. Sudesh Pal Malik (Enrollment NO.D/2899/2009, contact no. 9911998822, e-mail ID adv.spmalik@gmail.com, Chamber No. G-620, KKD Courts Complex, Delhi), Ld. Counsel for D2 to D6.
D7 is yet to be served.
Sh. Prashant Kumar Sharma, Ld. Counsel for D8 through VC.
Sh. Vinay Rathi, Ld. Counsel for DUSIB/D9.

As per the process server report, D2 has been served on 10.03.2025. D1 and D3 to D7 are unserved.

Ld. Counsel appearing for D2 to D6 submits that he will file WS during the course of the day. Advance copy supplied today.

WS on behalf of D9 alongwith application u/o 8 Rule 1 r/w Section 151 CPC and vakalatnama filed. Copy supplied.

Ld. Counsel for plaintiff, on instruction, submits that plaintiff have no objection if the application for condonation of delay in filing the WS is allowed and WS of D9 be taken on record.

Heard.

In view of the submissions, contention made in the application and no-objection given by Ld. Counsel for the plaintiff and

considering that present matter is still at initial stage and issues are yet to be framed, therefore, application u/o 8 Rule 1 CPC stands allowed.

WS filed on behalf of D9 be taken on record.

Application u/s 151 CPC for deletion, WS, Copy of GPA dated 01.09.2022, electricity bills and vakalatnama filed on behalf of D8 on 05.03.2025 (e-filed on 27.02.2025). Copy already supplied and the same has been acknowledged.

Plaintiff is at liberty to file replication and reply to the application u/s 151 CPC within 15 days from today with advance copy to the respective defendants.

Parties are directed to file affidavit of admission and denial of document within 30 days with advance copy to opposite party.

Issue fresh summons to D1 and D7 in the present suit and notice of the application under Order XXXIX Rule 1 and 2 r/w Section 151 CPC on filing of PF/RC/Courier, returnable for the next date of hearing.

Dasti summons be also given.

In case of refusal/non-availability/lock, service be affected by affixation of summons at the address of the defendants.

PF be filed within seven days from today.

Put up for compliance, reply and arguments on application u/o 39 Rule 1 and 2 CPC and application u/s 151 CPC, completion of pleadings and further proceedings on **28.05.2025**.

(Deepanker Mohan)
District Judge-04
Shahdara District/KKD Courts/Delhi
17.03.2025