

**MONIKA VERMA AND ORS Vs. B S E S YAMUNA POWER
LIMITED**

23.08.2024

At 10:40am

Present: Ms. Aruna Mehta, Ld. Counsel for plaintiffs through
VC.

None for D-1.

Sh. A.T. Khan, Ld. counsel for D-2.

WS, application under Order VIII Rule 1 CPC and documents filed on behalf of D-2 on 26.07.2024. Additional copies of the aforesaid documents filed by Ld. counsel for D-2 to supply the same to the Ld. counsel for plaintiffs.

Ld. Counsel for the plaintiffs is directed to collect the copies of the afore-said documents from the Ahlmad of this court during the course of day under due acknowledgment.

Ld. Counsel for plaintiffs, on instructions submits that plaintiffs have no objection, if the application under Order VIII Rule 1 CPC filed on behalf of D-2 be allowed subject to cost.

Heard. Application perused.

The matter is still at initial stage and issues are yet to be framed. It is also settled law that all cases shall be decided on merits and after giving proper opportunities to all the parties to represent themselves and contest the case.

(2)

In view of the submissions, contentions made in the application, no objection given by Ld. Counsel for plaintiff and also considering that the matter is still at initial stage and no prejudice would be caused to plaintiff, if the present application be allowed, therefore, the present application is hereby **allowed subject to cost of Rs.500/- which is to be paid to plaintiffs on the NDOH.**

Application under Order VIII Rule 1 CPC is accordingly disposed of.

WS of D-2 is taken on record.

Upon receipt of WS on behalf of D-2, plaintiffs are at liberty to file replication, if any within 15 days thereafter with an advance copy to D-2.

No WS to the amended plaint has been filed on behalf of D-1 till date despite opportunity granted, however, in the interest of justice, last and final opportunity is granted to D-1 to file WS to the amended plaint, if any within 07 days from today with an advance copy to the plaintiffs. It is made clear if D-1 failed to file WS to the amended plaint then in that case the WS filed on behalf of D-1 on 07.10.2019 be considered as WS to the amended plaint.

Upon receipt of WS on behalf of D-1, plaintiffs are at liberty to file replication, if any within 15 days thereafter with an advance copy to D-1.

Plaintiffs and defendants are directed to file affidavits of admission and denial of documents within 30 days from today with an advance copy to other side.

(3)

Parties are directed to produce original documents and file proposed issues on the NDOH.

Put up for compliance, completion of pleadings, admission and denial of documents and framing of issues on **25.10.2024**.

(Deepanker Mohan)
District Judge-04
Shahdara District/KKD Courts/Delhi
23.08.2024

At 10:48am

At this stage, Sh. Rajesh Kumar Sharma, Ld. counsel for D-1 has appeared and he is apprised about the proceedings of the present case.

Put up for date already fixed i.e. **25.10.2024**.

(Deepanker Mohan)
District Judge-04
Shahdara District/KKD Courts/Delhi
23.08.2024