

11 CS 859/23

**RAJESHWAR KUMAR Vs. SATESHWAR KUMAR AND
ORS**

15.12.2023
AT 10.45 AM

File received by way of transfer to this Court vide office order No.7089-94/Judl./Shd./KKD/2023 dated 01.09.2023 passed by the Ld. Principal District & Sessions Judge, Shahdara District, Karkardooma Courts, Delhi.

It be checked and registered.

Present: Sh. D.K. Santoshi, Ld. Counsel for the plaintiff
along with plaintiff in person
None for D-1 to D-5
Sh. Vijay Singh, Ld. Counsel for the defendant No.6
along with D-6 in person
Ms. Pooja Sharma, Ld. Proxy Counsel for Sh.
Avishek Kumar, Ld. Counsel for the MCD/D-7

As per process server report, D-1 is served through his Son namely Amit on 11.12.2023. None has appeared on behalf of D-1.

As per report D-7 is also served on 11.12.2023. None has appeared on behalf of D-7.

As per report, D-2 has left the given address mentioned in the memo of parties.

Plaintiff is directed to file fresh and correct address of D-2 within fifteen days from today.

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Upon furnishing fresh and correct address of D-2, issues fresh summons of the suit upon D-2 on filing of PF/RC/Courier, returnable for the next date of hearing.

Process server report qua D-3, D-4 and D-5 is still not received. Be awaited.

In the meanwhile, fresh summons be also issued to D-3 to D-5 through the concerned Ld. Principal District & Sessions Judge on filing of PF/RC/Courier, returnable for the next date of hearing.

Dasti summons be also issued.

Fresh Vakalantama filed on behalf of the D-6. Same is taken on record.

It is submitted by D-6 that D-4/her father is working as Sweeper in MM University, Barada, Ambala, Haryana. and D-5/my brother is residing at the house of his aunt (Tai Ji) i.e. Pant Vihar, Siddharth Nagar, Gali No.2, Saharanpur, U.P.

Ld. Proxy Counsel for D-7 seeks some time to file authority letter in the present matter.

D-1, D-6 and D-7 are directed to file their written statement within thirty days from today with an advance copy to the plaintiff.

The Ld. Counsel for the plaintiff submits that D-1 is raising illegal and unauthorized construction on the suit property and the plaintiff has also filed the complaints against the same

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before the MCD/D-7 but till date no action has been taken by the D-7.

D-7 is duty bound to take action against any unauthorized construction on the suit property.

Put up for compliance and completion of pleadings on 19.03.2024.

(Deepanker Mohan)
Additional District Judge-04
Shahdara District/KKD Courts/Delhi
15.12.2023