

CS No. 2830/16

18-5-2017

Present : Sh. Sanjay Verma, Ld. Counsel for plaintiff.
Sh V.K.Monga, Ld. Counsel for
defendant/counter claimant.

Ld. Counsel for defendant /counter claimant
filed an application U/O 7 Rule 11 CPC for rejection of plaint.
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Ld. Counsel for plaintiff stated that he does not
wish to file reply to application of defendant and ready to
advance arguments on aforesaid application. Heard. Case
file perused.

Defendant in his application stated that
plaintiff has not placed on record agreement to sale dated
09-4-2012 and further plaintiff has filed suit under wrong name
of defendant as Ravi Mittal whereas agreement to sale
reveals the name as Ravinder Kumar Mittal.

Merely because plaintiff has not placed
agreement to sale on record and plaintiff filed the suit on
wrong name can not be a ground for rejection of suit U/O 7
Rule 11 CPC. Hence, application is dismissed.

At this stage, Ld. Counsel for parties prayed to
refer the matter in Mediation Center, as parties are trying to
resolve the matter amicably.

Parties are directed to appear before Ld.
Incharge, Mediation Center, Karkardooma courts, Delhi on
05-6-2017 at 3.00 p.m.

In case of failure of mediation, put up for
admission-denial and framing of issues on 25-8-2017.

(RAVINDER SINGH)
Addl. District Judge
SHAH/KKD/DELHI
18-5-2017