

18 CS 942/23

ZUBAIR AHMAD(SENIOR CITIZEN) Vs. AFZAL AHMAD
AND ANR

02.04.2026
AT 11:17 AM

Present: Mr. I.A. Khan, Ld. Counsel for plaintiff along with plaintiff
Sh. Sadiq Choudhary, Ld. Proxy Counsel for Sh. Faiz Khan, Ld. Counsel for D-1 along with D-1.
Sh. Monis Rahis and Sh. Vivek Mishra, Ld. Counsel for D-2 along with D-2 (**Right of D-2 to file WS stands closed and D-2 proceeded ex-parte vide order dated 23.07.2024.**)

Reply to the application under Order IX Rule 7 r/w Section 151 CPC filed on behalf of plaintiff.

During the course of arguments, Ld. Counsel for plaintiff submits that plaintiff has no objection, if the present application be allowed and D-2 be allowed to file the WS subject to heavy cost.

Perusal of the record shows that D-2 had been duly served through his wife namely Asma on 22.02.2024.

Ld. Counsel for D-2 on instructions concedes that the name of wife of D-2 is Asma.

The application is silent about the summons report dated 22.02.2024. Application does not disclose any sufficient cause, however, in the interest of justice, **the present application**

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is allowed subject to the costs of Rs.30,000/- which shall be paid by D-2 to plaintiff.

The application is accordingly disposed off.

Subject to payment of costs, order dated 23.07.2024 stands recalled to the extent that the right of D-2 to file WS was closed and he was proceeded ex-parte.

D-2 is directed to file his WS and affidavits of admission and denial of documents within 30 days with an advance copy to plaintiff.

Plaintiff is at liberty to file replication within 15 days thereafter, with an advance copy to the defendants.

At this stage, it is jointly submitted by the Ld. Counsels that there is a possibility of settlement and request to refer the matter to Mediation Centre, Shahdara District, KKD Courts, Delhi.

Considering the request, the matter is referred to Mediation Centre, Shahdara District, KKD Courts, Delhi on **08.04.2026 at 12.30 PM** and before this Court on **01.06.2026**.

Put up for the payment of cost and report from the Mediation and further proceedings on **01.06.2026**.

(Deepanker Mohan)
District Judge-04
Shahdara District/KKD Courts/Delhi
02.04.2026