

08.08.2023

Present : Sh.S.K. Gupta Ld. Counsel for plaintiff.
Sh. Wahid Ali Ld. Counsel for D1 to D4. (defence struck off vide order dated 22.05.2023).
None for D5.
None for D6 (defence struck off vide order dated 22.05.2023).

Since matter was listed for further proceedings.

At this stage, counsel for D1 to D4 has moved application for recalling order dated 22.05.2023 u/s 151 r/w Order 8 rule 1 CPC for filing D1 to D4 along with application u/s 5 of Limitation Act r/w S. 151 CPC for condoning the delay in filing WS. It be taken on record. Copy supplied.

The counsel for plaintiff seeks time to file reply to the aforesaid application. Heard. Time is granted.

The perusal of the record reveals that the WS has not been filed on behalf of the defendant no. 5 so far despite service and despite grant of opportunity. On the last date of hearing also, none was present on behalf of the defendant no. 5 despite service. Even today none is present on behalf of the defendant no. 5 despite repeated calls. It seems that defendant no. 5 is not interested in defending / pursuing this suit against it. Accordingly, defendant no. 5 is proceeded ex-

parte.

Matter is adjourned.

Matter be listed for filing reply and arguments on aforesaid applications of D1 to D4 on 03.10.2023.

(Ramesh Kumar II)
Additional District Judge-01
SHD/KKD/Delhi/08.08.2023