

CS DJ 4071/24

ANUJA AGRAWAL Vs. SMT.LALITA CHOPRA

09.10.2024

Present: Sh. R.K. Sanghi, Ld. Senior Advocate alongwith Ld.
Counsel for Plaintiff.
Sh. Ankit Monga and Sh. Aman Kumar Thakur, Ld.
Counsel for Defendant.

Application under Order 7 Rule 10 of CPC.

After some arguments, Ld. Counsel for defendant wishes to withdraw the application under Order 7 Rule 10 of CPC with liberty to move such an application at appropriate stage or to raise such a defence in the WS, as prima facie, the same seems to be a disputed question of facts and law.

Application disposed off as withdrawn accordingly.

Applications under Order 15A of CPC on behalf of Plaintiff, as well as, defendant.

The defendant has moved an application under Order 15A of CPC. The plaintiff has also moved a similar application seeking deposit of last paid amount in court. Considering that the defendant is himself willing to make deposit, both the applications are disposed off directing the defendant to continue to deposit an amount equal to the amount last paid by her as rent, in the court every month and whether the same will be considered as rent or damages would be decided by the court during the trial. The plaintiff is, however, at liberty to withdraw the amount without prejudice to his rights and contentions.

Both the applications disposed off, accordingly.

At this stage, it is directed that the cheque of Rs.3,00,000/- towards arrears shall be directly given to the

plaintiff. Encashment of the same will not amount to acquiesce by Plaintiff.

Ordinary process was served on defendant on 01.10.2024.

Speed post is stated to be served on the defendant on 03.10.2024.

Therefore, let WS be filed within the time prescribed.

List on **03.12.2024**.

(HARJYOT SINGH BHALLA)
DJ-05, SOUTH SAKET COURTS
NEW DELHI/ 09.10.2024