

6 CS 13/24

SAMARPAN DUTTA Vs. BASUDHA DUTTA AND ANR

28.02.2025

1st call AT 10:34 AM

Present: Ms. Jyoti Bajaj, Ld. Proxy Counsel for Sh. Soumava Karamkar, Ld. Counsel for the plaintiff along with plaintiff in person
Sh. Mohit Dewan, Ld. Counsel for defendant No.1 through VC
D-2 is yet to be served.

On the request, matter is pass over for half an hour.

(Deepanker Mohan)
District Judge-04
Shahdara District/KKD Courts/Delhi
28.02.2025

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2nd call AT 11:33 AM

Present: Mr. Soumava Karmakar, Ms. Moumita Sen and Ms. Jyoti Bajaj and Mr. Ld. Counsels for the plaintiff along with plaintiff in person
Sh. Mohit Dewan, Ld. Counsel for defendant No.1
D-2 is yet to be served.

Fresh Vakalatnama filed on behalf of plaintiff. Same is taken on record.

Written statement, application for condonation of delay and vakalatnama on behalf of D-1 filed on 27.02.2025.

Ld. Counsel for plaintiff submits that plaintiff has no objection, if WS of D-1 be taken on record subject to the costs.

In view of the submissions, contentions made in the application, no objection given by the Ld. Counsel for the plaintiff and also considering that the matter is still at initial stage and no prejudice would be caused to the plaintiff, if the present application be allowed, **therefore, the present application is hereby allowed subject to the costs of Rs.2,000/- which is to be paid by D-1 to plaintiff on or before the next date of hearing.**

Application is accordingly disposed of.

Written statement of D-1 be taken on record.

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

Plaintiff and defendant No.1 are directed to file their respective affidavits of admission and denial of documents within 30 days from today with an advance copy to opposite side.

Parties are directed to produce original documents on the next date of hearing.

Issue fresh summons of the present suit upon defendant No.2 through the concerned Ld. Principal District & Sessions Judge, on filing of PF/RC/Speed Post/Courier, returnable for the next date of hearing.

Dasti summons be also given.

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In case of refusal/non-availability/lock, service be affected by affixation of summons at the address of the defendants.

PF be filed within five days.

Put up for completion of pleadings, admission and denial of documents and framing of issues on 05.06.2025.

(Deepanker Mohan)
District Judge-04
Shahdara District/KKD Courts/Delhi
28.02.2025