

**CS. No.225/17**  
**Krishan Jain vs. Balram & Ors.**

27.11.2019

Present: Sh. Anuj Jain, counsel for the plaintiff.  
Sh. Atul Sharma, counsel for defendant no.1.  
Defendant no.2 with counsel Sh. Paramjeet Dabas.  
Sh. Ajay Sharma, counsel for defendant no.3.

The counsel for plaintiff stated that he has no objection if the application U/o. 9 Rule 7 CPC moved by defendant no.1 is allowed. The defendant no.1 was proceeded ex-parte on 23.08.2019 when nobody appeared on behalf of defendant no.1 on the said date.

None had also appeared on behalf of defendant no.1 on the previous date i.e. 07.06.2019. In the application, the reason for non-appearance of defendant no.1 has been explained but no reason whatsoever has been given for non appearance on 07.06.2019. However, in the interest of justice, in view of no objection given by counsel for plaintiff, the order dated 23.08.2019 is set aside subject to cost of Rs. 1000/- to be deposited with Army Welfare Funds (Battle Casualties).

Today, case is also fixed for remaining PE. However, counsel for the plaintiff requests for a date.

Put up for remaining PE on **22.02.2020**.

(Balwant Rai Bansal)  
ADJ-05(SW)/Dwarka Courts  
27.11.2019