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CS DJ ADJ 17109/16

ASHA DIXIT Vs. PRADEEP KUMAR SHARMA AND ANR.

07.08.2023

Present: Ms. Priyanka Dagar, Ld. Counsel for Plaintiff.
Defendant no. 1 in person.
Defendant no. 2 Sudhir Kumar Srivastava in person.
Ms. Shilpa Chauhan, Ld. Proxy Counsel for Defendant no. 2 through VC.
Sh. Abhishek Harjika, Ld. Counsel for Defendants no. 4(c) and 4(d).

Further arguments heard on the application under Order I R 10 of CPC.

Ld. Counsel for proposed Defendants no. 4(c) and 4(d) has submitted that the Plaintiff has not clarified as to what was the cause of action against them. On the other hand, Ld. Counsel for Plaintiff has submitted that the Defendant no. 1 has sold the suit property after constructing flats as per the report of the LC and therefore, the proposed Defendants have become necessary and proper parties to the suit. Ld. Counsel has also submitted that an 80 sq. yard portion is lying vacant and that the 80 sq. yards is also the portion of suit property that falls in the share of the Plaintiff and if therefore, the status quo is maintained, then the Plaintiff would forego impleading the subsequent purchasers including Defendants no. 4(c) and 4(d).

This matter requires further consideration.

Put up for clarifications, if any, on **04.09.2023**.

(DIVYANG THAKUR)
ADJ-03/ SOUTH-WEST
DWARKA/ NEW DELHI
07.08.2023 (A)