

CS No.

Hem Chand Jain vs. Baljeet Singh & Ors.

24.04.2017

The present suit for possession, mandatory injunction, permanent injunction has been received by assignment. It be checked and registered.

Present: Sh. Manish Bansal, counsel for the plaintiff with plaintiff no.1.

Counsel for the plaintiff has filed today page no.156 and states that the said page was not filed with the suit inadvertently. The same is taken on record today.

Heard. This is a suit for possession, mandatory injunction, permanent injunction. I have gone through the plaint and I am prima facie satisfied that this suit is within territorial and pecuniary jurisdiction of this Court and is also within limitation. The suit has been properly valued for the purpose of Court fees and jurisdiction and appropriate court fees duly stand paid. The suit does not suffer from any apparent defect warranting its rejection at this juncture.

Counsel for the plaintiff is directed to take steps within three days from today for issuance of summons of the suit and notice of the accompanying application under Order 39 Rule 1, 2 & 10 CPC to the defendants through PF/RC/approved courier and speed post for 29.04.2017. Dasti process be also given, at request.

Counsel for the plaintiff is directed to file the tracking report of service through speed post and courier on the next date.

Incharge Nazarat Branch is hereby directed to ensure that the processes issued be executed and served preferably within three days. In case the defendant refuse to accept the service or is not

found available despite three mandatory visits, Process Server shall affix the summons at a conspicuous place of the defendant's addresses and leave the copy of plaint and annexures there as per Order 5 Rule 17 CPC and will file his report, along with affidavit of service. Written statement be filed within two weeks from the date of service.

(MOHD. FARRUKH)
ADJ (SW)/PILOT COURT/ DWARKA COURTS(an)

24.4.2017

Present: Ms. Surabhi , proxy counsel for counsel for the plaintiff.
Sh. Amit Kumar Singh, counsel for the defendants.

Counsel appearing for the plaintiff seeks adjournment on the ground that witness has gone to his native place at Jharkhand as there is some bereavement in his family. Advance copy of affidavit in PE has also not been supplied. In the interest of justice, one more opportunity is granted for compliance of last order/PE on 15.05.2017.

Both parties are directed to file their respective list of witnesses on the next date positively.

(MOHD. FARRUKH)
ADJ (SW)/PILOT COURT/ DWARKA COURTS(an)

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