

25.02.2020

Present: Plaintiff no.1 in person with Shri Abhishek Gupta, counsel for all the plaintiffs.

Shri Pramod Gupta, counsel for the defendant no. 4 & 5.

Name of defendant no.3,8,12 & 17 have already expired.

Proceedings qua defendant no.3,12 & 17 have already been deleted as no cause of action survives against them.

Defendant no.15 is stated to be already ex-parte.

None for other defendants.

As regards defendant no. 8 there is one application u/o 1 rule 10 CPC pending for deleting the proceedings qua her as after her demise, no cause of action survives against her or her legal heirs. No objection is raised to the said application. The same is accordingly allowed and proceedings qua defendant no. 8 stands deleted on account of her demise. Amended memo of parties annexed with the application u/o 1 rule 10 CPC is taken on record.

At this stage, ld.counsel for all the plaintiffs has given the statement that he do not wish to press for impleadment of proposed defendant Gandhi Samarak Nidhi(Centra), Rajghat Colony, Rajghat, Delhi 110 002, as prayed by him in his application u/o 1 rule 10 CPC dated 02.04.2012 as he has already given up the relief claimed qua the said proposed defendant in his application u/o 6 rule 17 CPC filed alongwith application u/o 1 rule 10 CPC on 02.04.2012. He has made the statement

on the instructions of all the plaintiffs and in the presence of plaintiff no.1 who is present in the court today. In view of the statement of the counsel for all the plaintiffs recorded today in the court,

Arguments on behalf of the plaintiff as well as on behalf of ld.counsels for defendants no. 4 & 5 and defendants no.6 to 9, 11,16 to 21 on the application u/o 1 rule 10 CPC as well as application u/o 6 rule 17CPC filed by the plaintiff which are both supported by the affidavits dated 02.04.2012 heard. The plaintiff was directed vide order dated 17.01.2019, to produce a copy of another suit filed by the plaintiff pending in Karkardooma courts. The said copy alongwith copies of order sheets have been placed by the ld.counsel for defendant no. 4 & 5 today. Since none has appeared on behalf of other defendants, their arguments on these applications shall not be heard.

Re-notify for orders/clarifications on these two applications, on 26.03.2020.

(Shivali Sharma)
ADJ-03/West/THC/Delhi
25.02.2020