

20.09.2022

Present: Sh. Pawan Kumar Gupta, Ld. Counsel for the plaintiff along with plaintiff Sh. Pawan Sarin in person.
Sh. Ankush Duhan, proxy counsel for Sh. K. Bhardwaj, main counsel for D-1 & D-2.
D-3 is ex parte vide order dated 03.09.2016.

Fresh vakalatnama has been filed on behalf of LR's of the plaintiff, who have been impleaded in place of the plaintiff, as plaintiff had also expired. Same is taken on the record.

In terms of the directions issued on the last date of hearing, details of LR's of D-2, who had expired were furnished by Ld. Counsel for D-2. An application u/O 22 R 4 CPC was accordingly moved for impleading LR's of D-2 in between.

Sh. Ankush Duhan, ld. proxy counsel for D-1 & D-2 (since deceased) submits that he is putting in appearance for LR's of D-2 and submits that proper vakalatnama shall be filed on the NDOH. Meanwhile, he is directed to file memo of appearance during the course of the day. Accordingly, the LR's of D-2 are brought on the record. The above application stands disposed off accordingly. Amended memo of parties be filed on the next date of hearing.

On the last date of hearing two separate applications had been moved on behalf of the plaintiff, one moved u/S. 151 CPC praying for directions to defendant nos. 1 & 2 to furnish their fresh addresses and phone numbers and the other application u/S. 151 CPC praying for issuance of summons to defendant nos. 4 & 5 or to proceed against them *ex-parte*.

So far as, the first application is concerned, Ld. Counsel for the defendant nos. 1 & 2 submits that the said particulars have already been given and it was after the said particulars were furnished that application under order 22 rule 4 CPC was moved.

Contd....2

The perusal of previous order sheets show that D-4 has already put his appearance. So far as D-5 is concerned, he was impleaded vide order dated 14.12.2021 and perusal of the previous order sheets shows that probably he has never been served. Consequently, issue summons to D-5, as per amended memo of parties, on filing of PF / RC within a week.

Both the above applications u/S. 151 CPC moved by plaintiff stand disposed off accordingly.

Put up for appearance of D-5 / further proceedings on 01.11.2022.

(Ajay Gulati-I)
ADJ-02, WEST
20.09.2022.