

Civ DJ 127/21  
KULDEEP SINGH  
Vs.  
RAVINDER PAL SINGH

06.07.2023

Present: Sh. A.K. Singh, Ld. Counsel for plaintiff.  
Sh. Nayan Mishra, Ld. Proxy Counsel for defendant no. 1.  
Sh. Jasbeer Singh, Ld. Counsel for defendant no. 5.

Vide separate order, application u/s 151 CPC moved by plaintiff qua defendant no. 5 is dismissed.

In view of the observation of the Court in order whereby abovesaid application u/s 151 CPC has been disposed off, this Court is of the considered view that name of defendant no. 5 i.e. BSES Rajdhani Power Limited has been improperly joined as defendant, so, the name of defendant no. 5 from array of defendants is struck off.

Plaintiff is directed to file amended memo of parties on next date of hearing.

Perusal of record further shows that WS has already been filed by defendant no. 1 and replication of the same has also been filed by plaintiff.

Perusal of record further shows that despite service, no WS has been filed on behalf of defendant no. 2 and none is appearing for defendant no. 2 for last several dates, so he is proceeded ex parte.

Perusal of record also shows that despite service by way of publication, none has appeared for defendant no. 3 and 4, so they are also proceeded ex parte.

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It is informed on behalf of plaintiff that application u/o 22 Rule 4 CPC qua defendant no. 3 was filed as on 30.01.2020 defendant no. 2 submitted before the Court that defendant no. 3 has expired, however, no proof was filed regarding the factum of death of defendant no. 3.

Matter be put up for admission/denial of documents and framing of issues on **05.10.2023**.

(Dharmender Singh)  
Additional District Judge-01(West)  
Tis Hazari Courts, Delhi/06.07.2023