

Suit No: 612188/16

Jaspal Kaur Sethi vs Surinder Singh

06.01.2018

Present: Ms Kusum Lata, counsel for plaintiff.
Ms Manjeet Kaur, proxy counsel for defendant
alongwith defendant in person.

Plaintiff has filed the affidavit in evidence of PW Randeep Anand alongwith SPA kept on record. Copy supplied.

Adjournment sought on behalf of plaintiff stating that PW is not present today due to ill-health.

Adjournment also sought on behalf of defendant stating that main counsel is also not available as he is busy in Hon'ble High Court.

In view of submissions, adjournment request for PE is allowed.

An application under Order 39 Rule 10 of CPC is pending for disposal. As per the plaintiff, rent has not been paid since March 2016. Defendant who is present today in the court has been orally examined in the court. He admits that the monthly rent is Rs. 20,970/- and has not been paid since March 2016. He states that defendant is not paying the rent as earlier rent paid is not acknowledged by plaintiff. In these circumstances, application under Order 39 Rule 10 of CPC is allowed.

It is further submitted by defendant that he does not have any source of income and requests that he shall pay the rent for current month and for one previous month. Same is accepted by counsel for plaintiff. Hence, defendant is directed to deposit the rent for current month and for one previous month by 10th of each and every succeeding month in the form of cheque in favour of plaintiff in the court.

Account details have been handed over to the defendant today in the court. Rent for the month of December 2017 alongwith for the month of March 2016 shall be deposited in the court within 1 week from today.

Be listed on 17.04.2018 for PE.

Sugandha Aggarwal

ADJ-07/West/Delhi

06.01.2018