

CIV DJ 681/2025
Brij Mohan
Vs. MCD & Ors.

27.09.2025

Present: Plaintiff with Ld. counsel Sh. Sanjeev Shukla.
 D-2 with Ld. counsel Sh. S. K. Dayal.
 Sh. Banka Bihari Panda and Sh. Rabindranath
 Mohanty, Ld. counsels for D-3.
 D-3 (through VC).

As per reports, summons were served upon D-2 & D-3 on 11.08.2025.

After LDOH, written statement, reply to interim application u/o XXXIX Rule 1 & 2 CPC and copies of certain documents along Vakalatnama, were filed on behalf of D-2 through e-filing within prescribed period and hard copies thereof are furnished. Be taken on record. Copy supplied.

Also after LDOH, written statement along with application for seeking condonation of delay, reply to interim application u/o XXXIX Rule 1 & 2 CPC and copies of certain documents along Vakalatnama, were filed on behalf of D-3 through e-filing and hard copies thereof are furnished. Copy supplied.

Submissions heard on condonation of delay application.

Mainly it is contended that the D-3 is newly appointed Constable in Uttar Pradesh police and is on training period therefore, he could not contact his counsel well within time due to which delay of 12 days has occurred in filing the written statement.

In view of above submissions, the application is being allowed. The written statement, copies of documents and reply to interim application are taken on record.

Ld. counsel for plaintiff has prayed that prescribed period after service of notice u/s 80 of CPC upon D-1 & D-4 has already elapsed and has prayed that the D-1 & D-4 be also summoned.

Issue summons for settlement of issues and notice of application u/o XXXIX Rule 1 & 2 CPC, to **D-1 & D-4**, on filing of PF/ speed post/ Dasti, returnable for NDOH.

Put up for consideration/ report on **12.12.2025**.

(GOPAL SINGH CHAUHAN)
DJ-03, WEST/DELHI
27.09.2025