

Civ. DJ No. 613720/2016

**Prem Sagar Sachdeva
Vs.
Sanjay Bhatia**

19.02.2020

Present : Sh. Jai Pratap, Ld. Counsel for the plaintiff.
Sh. Shashank Kumar Lal, Ld. Counsel for defendant
no. 4.
Sh. Sandeep Singh, Ld. Counsel for proposed
defendant no. 5/Corporation Bank.
None for the defendant no. 1, 2 and 3.

Memo of appearance filed on behalf of the plaintiff.

There are two pending applications in the present matter. One is under Order 7 Rule 11 CPC of which the reply has not been filed by the plaintiff till date and another is application under Order 6 Rule 17 CPC r/w Section 1 Rule 10 CPC filed by the plaintiff for impleading of Corporation Bank as defendant no. 5 in the present case. Reply to this application has already been filed by Corporation Bank.

An adjournment is sought on behalf of the plaintiff on the ground that he has been recently engaged in the present matter. Adjournment is strongly opposed by the opposite party stating the there are two pending applications are pending and no one has argued on these applications and on each and every date, proxy counsel for the plaintiff appeared and fresh vakalatnama filed on behalf of the plaintiff.

PTO

It is submitted that the application under Order 7 Rule 11 CPC filed by defendant no. 4 is pending since last two years, however, reply to the same has not been filed. Even application under Order 6 Rule 17 CPC r/w Order 1 Rule 10 CPC is stated to be pending since the year 2017.

In the interest of justice, one opportunity is granted to the plaintiff, however, it is made clear that no opportunity shall be granted to the plaintiff to argue on this application.

Advance copy of the reply to application under Order 7 Rule 11 CPC be supplied to the opposite party at least 15 days prior to NDOH.

Perusal of record shows that plaintiff has not appeared in the present case even on a single date of hearing.

Plaintiff is directed to appear in person on NDOH.

It is also pointed out by the ld. Counsel for defendant no. 4 that there are certain costs which are pending to be paid by the plaintiff. Let previous cost be also paid on NDOH.

Re-notify for reply and arguments on 27.03.2020.

(Shivali Sharma)
ADJ-03/West/Delhi.
19.02.2020