

PREM SAGAR SACHDEVA Vs. SANJAY BHATIA

31.03.2022

Present: Sh. Nikhilesh Krishanan, Ld. Counsel for the plaintiff (through VC).

Defendant no. 1 and 2 are already ex-parte vide order dated 30.10.2021.

Defendant no. 3/Bank of India has already been deleted vide order dated 30.10.2021.

Sh. Kashish Narang, Ld. Counsel for the defendant no. 4.

Sh. Vishal Jaiswal, Ld. Counsel for the defendant no. 5/Union Bank of India (Earlier Corporation Bank).

Defendant no. 5 was already impleaded vide order dated 30.10.2022.

Vide the same order, an application of the plaintiff under Order 6 Rule 17 CPC was already allowed and accordingly, both defendants i. e. defendant no. 4 and 5 were directed to file their WS to the amended plaint within 30 days, however, till date, none of them file their written statement on record. Another opportunity is sought. Both defendants no. 4 and 5 are given three weeks time to file their written statement to the amended plaint failing which WS shall not be taken on record.

Also, matter is at the stage of arguments on the application under Order 7 Rule 11 CPC. Part arguments were heard on the application on 30.10.2021 and defendant no. 4 had sought time to file written statement and was directed to file mortgage documents of the suit property being relied upon by him, on record. However, the same has not been filed till date. Another three weeks time is given to the defendant no. 2 for compliance of said directions. Advance copy of the same be supplied to the plaintiff as well as Ld. Counsel for the defendant no. 5 so that arguments can be heard on NDOH.

Re-notify for arguments on application under Order 7 Rule 11 CPC on 02.06.2022.

Shivali Sharma

Additional District Judge-03(West)

Tis Hazari Court/31.03.2022