

Civ DJ: 613720/2016

Prem Sagar Sachdeva vs Sanjay Bhatia

02.06.2022

Present: Shri Nikhlesh Krishnan, Ld.counsel for the plaintiff.

Defendant no.1 & 2 are ex-party vide order dated 30.10.2021.

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

Shri Akshay Kapoor, Ld.counsel for defendant no.4.

Shri Vishal Jaiswal, Ld.counsel for defendant no.5/Union Bank of India through VC.

Matter is fixed today for filing of WS by defendants no. 4 & 5 and arguments on application u/o 7 rule 11 CPC.

Today adjournment is sought on behalf of defendant no.4 stating that main counsel is covid positive and the entire office is closed and the counsel is unable to appear today and WS could not be filed.

Perusal of the record shows that defendants no.4 & 5 were given three weeks time to file the WS to the amended plaint. However, till date, WS has not been filed by either of them. Nor advance copy has been supplied to the opposite counsel. The illness of counsel for defendant no.4 is not a valid reason for non filing of the WS within three week as directed vide last order.

On behalf of defendant no.5 it is stated that AR has been transferred to another bank. Accordingly, WS is not filed. Again this is not a valid reason for non filing of the WS within three week as directed vide last order. Accordingly, right to file the WS of defendants no. 4 & 5 stands closed.

Re-notify for arguments on pending application u/o 7 rule 11 CPC as last and final opportunity on 04.08.2022.

Shivali Sharma

Additional District Judge-03(West)

Tis Hazari Court/02.06.2022