

Khalsa Trading Company Vs. M/s Gusto Foods

New No. 12472/16

13.12.2017

Present: Plaintiff alongwith counsel Sh. Anand Sharma.
Defendant is already ex-parte.

At request, put up for ex-parte PE, on 23.02.2018.

(Charu Aggarwal)
ADJ-03/West Distt./THC/Delhi
13.12.2017

Sapphire India Publishers Pvt. Ltd. Vs. Narender Rai

New No. 613332/2016

13.12.2017

Present: Sh. A. K. Chhabra, counsel for plaintiff.

Counsel for plaintiff submits that matter has been settled between the parties. He needs time to take appropriate instructions from the plaintiff.

At request, put up for further proceedings, on 23.02.2018.

(Charu Aggarwal)
ADJ-03/West Distt./THC/Delhi
13.12.2017

Arun Kumar Singh Vs. Chandra Mohan Singh

New No. 613408/2016

13.12.2017

Present: Plaintiff in person (who himself is a counsel).

Defence of defendant no. 1 was struck off on 22.08.2018.

Sh. Ramesh Kumar Shukla, proxy counsel for defendant no. 2.

Sh. Shaminder Kadiyan, counsel for defendant no. 3.

Defendant no. 4 in person.

Replication filed by plaintiff to the written statement of defendant no. 4. Copy supplied to all the defendants today in court.

Put up for admission/denial of documents and settlement of issues, on 23.02.2018.

(Charu Aggarwal)
ADJ-03/West Distt./THC/Delhi
13.12.2017

Sapphire India Publishers Pvt. Ltd. Vs. Swaranjeet Singh

New No. 613331/2016

13.12.2017

Present: Sh. A. K. Chhabra, counsel for plaintiff.

An application u/O V Rule 20 CPC filed by the plaintiff for substituted service of the defendant.

Perusal of file shows that summons sent to the defendant never received back. At this stage, this court does not deem it appropriate to get the defendant served through publication.

Let summons of the suit be sent to the defendant on filing of PF/RC through concerned CJM, for 23.02.2018.

(Charu Aggarwal)
ADJ-03/West Distt./THC/Delhi
13.12.2017

Leela Wati Vs. BNSES Rajdhani Power Ltd.

RCA No. 160/2017

13.12.2017

Present: Appellant alongwith Sh. A. K. Mishra.
Ms. Priyanka, proxy counsel for respondent.

Memo of appearance filed on behalf of respondent. Same is taken on record.

At request on behalf of respondent, put up for reply and arguments on appeal, on 05.03.2018.

(Charu Aggarwal)
ADJ-03/West Distt./THC/Delhi
13.12.2017

M/s S. K. Steel Traders Vs. M/s Mech Industry

New No. 285/2017

13.12.2017

Present: Plaintiff alongwith counsel Sh. Raj Kumar.

Both the defendants alongwith counsel Sh. Ram Kumar.

Both the parties submit that they want to explore possibility of settlement, therefore, matter be sent to the Mediation Centre for settlement. At joint request of the parties, the present matter is sent to the Mediation Centre for 19.12.2017 at 02:00 PM. Both the parties are directed to appear before the Mediation Centre on the abovesaid date and time.

Put up for further proceedings before this court, on 31.01.2018.

(Charu Aggarwal)
ADJ-03/West Distt./THC/Delhi
13.12.2017

Kanta Hira Nandani & Anr. Vs. Girdhar Tulani & Ors.

New No. 9745/16

13.12.2017

Present: Sh. T. C. Sharma, counsel for plaintiff.

Sh. Ashok Kriplani, counsel for defendant.

At request, put up for final arguments, on 03.02.2018.

(Charu Aggarwal)
ADJ-03/West Distt./THC/Delhi
13.12.2017

Suresh Chand Vs. HDFC Bank

New No. 60774/16

13.12.2017

Present: Petitioner in person.
 Counsel for respondents.

At request, put up for final arguments, on 21.03.2018.

(Charu Aggarwal)
ADJ-03/West Distt./THC/Delhi
13.12.2017

Sushil Kumar Vs. Ravi Shankar Bhardwaj & Ors.

New No. 768/2017

13.12.2017

Present: Plaintiff alongwith counsel Sh. Sharad Malhotra.
Defendant no. 1 alongwith counsel Sh. M. R. Sehgal.
Defendant no. 2 alongwith counsel Sh. Ravinder Kumar.

An application u/s 340 Cr.PC filed by defendant no. 1 against the defendant no. 2. Copy supplied to plaintiff as well as to defendant no. 2 today in court.

An application u/O VI Rule 17 CPC filed by the plaintiff. Copy supplied to both the defendants today in court.

Ahlmad has reported that inadvertently he did not issue notice to the concerned SDM. Ahlmad is directed to be careful in future. Notice be issued to the concerned SDM for next date with directions to file his report regarding the indigency of the plaintiff on or before next date.

Put up for reply and arguments on the application u/O VI Rule 17 CPC and recording of statement of plaintiff u/O 33 CPC, on 07.02.2018.

(Charu Aggarwal)
ADJ-03/West Distt./THC/Delhi
13.12.2017

Sushma Aggarwal Vs. M/s Today Homes & Ors.

New No. 612934/2016

13.12.2017

Present: Sh. Gautam Sharma, proxy counsel for plaintiff.
AR Shivansh Singh of defendant no. 1.
AR Vinod Pandey of defendant no. 2.
Sh. Manish Gandhi, counsel for defendant no. 32.

Written arguments filed by the plaintiff. Copy supplied to all the defendants today in court.

Adjournment sought on behalf of the plaintiff on the ground that main counsel is not available.

At request, let the matter be put up for final arguments, on 23.12.2017.

(Charu Aggarwal)
ADJ-03/West Distt./THC/Delhi
13.12.2017

At 12:00 Noon.

At this stage, Sh. S. Goel, counsel for defendant no. 2 appeared and filed written arguments on behalf of defendant no. 2. Same is taken on record. He is apprised about the next date of hearing.

Put up for final arguments on date fixed i.e. 23.12.2017.

(Charu Aggarwal)
ADJ-03/West Distt./THC/Delhi
13.12.2017

Vinod Kumar Jain Vs. Vijay Kumar Jain & Anr.

New No. 609735/2016

13.12.2017

Present: Sh. Deepak Vohra, counsel for LR's of deceased plaintiff.
Intern namely Pankaj for both the defendants.

Fresh V/N filed on behalf plaintiff. Same is taken on record.

Ms. Priyam Mehta has appeared on behalf of one Sunita Jain, who submits that the final decree has already been passed on 28.08.2017 qua the suit property. **Smt. Sunita Jain is directed to move appropriate application for bringing her contentions on record.**

Today, matter is fixed for arguments on the applications u/O XXII Rule 3 CPC and 5 of Limitation Act of the plaintiff. Reply to the said applications have not been filed by the defendants since long time. Defendants are given last and final opportunity to file reply on the said applications.

Let the matter be put up for reply and arguments on the abovesaid applications as last and final opportunity to both the parties, on 20.02.2018.

(Charu Aggarwal)
ADJ-03/West Distt./THC/Delhi
13.12.2017

Sri Balaji Financier Vs. Suraj Prakash

Ex. No. 114/2017

13.12.2017

Present: Sh. S. C. Sharma, counsel for DH.
Sh. Maninderjeet Singh, counsel for JD/objector.

Review application filed by JD/objector.

Counsel for DH submits that he has not received copy of the same. Counsel for JD submits that he does not have copy of the review application as of now but he will supply the same to DH during the course of the day. JD is directed to supply copy of the review application to the DH within 2 days from today.

Let the matter be put up for reply and arguments on the review application, on 02.02.2018.

(Charu Aggarwal)
ADJ-03/West Distt./THC/Delhi
13.12.2017

Punjab & Sind Bank Vs. Rishi Kumar Gupta

New No. 608099/2016

13.12.2017

Present: None for plaintiff.

Defendant is already ex-parte.

Put up for consideration on the application of review filed by the defendant, on 27.02.2018.

(Charu Aggarwal)
ADJ-03/West Distt./THC/Delhi
13.12.2017

At 11:45 AM.

At this stage, Sh. Manoj Arora, counsel for plaintiff appeared. He is apprised about the next date of hearing.

Put up on date fixed i.e. 27.02.2018.

(Charu Aggarwal)
ADJ-03/West Distt./THC/Delhi
13.12.2017

At 01:00 PM

At this stage, Ms. Poonam Gupta, Director of defendant no. 2 company appeared alongwith proxy counsel for defendants no. 1 and 2. She is apprised about the next date.

Put up on date fixed i.e. 27.02.2018.

(Charu Aggarwal)
ADJ-03/West Distt./THC/Delhi
13.12.2017

Praveen Kumar Vs. Pawan Kumar

New No. 607973/2016

13.12.2017

Present: Plaintiff alongwith proxy counsel Sh. Naveen Kumar.

Defendant no. 1 alongwith Sh. Ravinder Kumar, counsel for both the defendants.

Today, matter is fixed for DE, however, adjournment sought by the defendants on the ground that affidavit is not ready due to some personal reasons of the counsel. Defendants are directed to file affidavits of DWs on or before next date of hearing with directions to supply advance copy of the same to the plaintiff at least one week prior to next date of hearing.

At request of defendants, put up for DE, on 26.02.2018.

(Charu Aggarwal)
ADJ-03/West Distt./THC/Delhi
13.12.2017

Jageshwari Dayal Vs. K. K. Kapoor

New No. 613157/2016

13.12.2017

Present: Plaintiff alongwith counsel Sh. Ram Sewak.

Defendant alongwith counsel Sh. Kundan Lal.

2 applications, one u/O VIII Rule 1 CPC and other u/s 5 of Limitation Act of the defendant are pending, seeking recalling of order dated 30.05.2017 of this court, whereby his defence was struck off. Reply to both the applications are already on record.

Counsel for plaintiff submits that there is delay of almost 382 days in filing the written statement. He also submits that written statement has not been filed by the defendant till date. To this, counsel for defendant submits that defendant did not file the written statement as earlier the matter was going on for compromise and his present application was pending.

The defendant has even not filed the written statement till date. Though, there is substantial delay in filing the written statement, however, in the interest of justice and considering that matter should be decided on merits, both the applications are allowed. The delay in filing the written statement is hereby condoned subject to cost of Rs. 7000/- to be paid by the defendant to the plaintiff. Defendant is directed to file written statement within 10 days from today with directions to supply advance copy of the same to the plaintiff.

Put up for filing of replication, if any, admission/denial of documents and settlement of issues, on 22.02.2018.

(Charu Aggarwal)
ADJ-03/West Distt./THC/Delhi
13.12.2017

Krishna Kumari & Ors. Vs. Baldev Singh Sehgal

New No. 613048/2016

13.12.2017

Present: Ms. Manju, counsel for plaintiff.

Defendant no. 1 alongwith counsel Sh. Rakesh Kumar Sharma.

Ms. Samriti Anupam, proxy counsel for LR's of defendant no. 2.

Defendant no. 1 submits that he wants to close his evidence. His statement recorded separately to this effect. In view of statement of defendant no. 1, his evidence is hereby closed.

DW Sunil Sawhney of defendant no. 2 is present but proxy counsel for defendant no. 2 submits that this DW cannot be examined today as he has not brought the original documents. This is no ground for adjournment, however, in the interest of justice, adjournment is allowed subject to cost of Rs. 2000/- to be paid by the defendant no. 2 to the plaintiff on next date.

At request, put up for DE on 10.01.2018.

(Charu Aggarwal)
ADJ-03/West Distt./THC/Delhi
13.12.2017

Arun Kathuria Vs. Shashi Shekar Seem & Ors.

New No. 612896/2016

13.12.2017

Present: Plaintiff alongwith counsel Sh. Vipin Kumar.
Sh. Rishu Singh, proxy counsel for defendant no. 1.

Copy of application u/O 47 Rule 1 CPC supplied to the defendant no. 1 today in court.

At request, put up for reply and arguments on the abovesaid application, on 17.01.2018.

(Charu Aggarwal)
ADJ-03/West Distt./THC/Delhi
13.12.2017

Vijay Goel Vs. Delhi Financial Corporation

New No. 610979/2016

13.12.2017

Present: SPA Vipin Kumar of plaintiff alongwith Sh. Devender Kumar.
Sh. Suraj Kumar, counsel for defendant.

PW-1 Vipin Kumar Sharma examined-in-chief and his cross examination is deferred.

Put up for cross examination of PW-1/PE, on 19.04.2018.

(Charu Aggarwal)
ADJ-03/West Distt./THC/Delhi
13.12.2017

Govt. of NCT of Delhi Vs. Mahabir Singh

New No. 611326/2016

13.12.2017

Present: Sh. C. M. Sharma, counsel for plaintiff.

Defendant alongwith counbsel Sh. Vivek Srivastava.

PW-5 SI Sudhir Kumar Tyagi examined-in-chief, partly cross examined and further cross examination is deferred.

Put up for further cross examination of PW-5/PE, on 25.04.2018.

(Charu Aggarwal)

ADJ-03/West Distt./THC/Delhi

13.12.2017

Razia Ansar Vs. Bakhtawar Jahan

New No. 610520/16

13.12.2017

Present: Plaintiff alongwith counsel Sh. Kshitiz Mahipal.
Defendant no. 1 alongwith counsel Sh. Sukhbir Singh.
Defendant no. 3 in person.

Part final arguments heard.

Put up for further final arguments, on 17.01.2018.

(Charu Aggarwal)
ADJ-03/West Distt./THC/Delhi
13.12.2017

Ashwin Lal Vs. Arun Lal

New No. 613320/2016

13.12.2017

Present: Proxy counsel for plaintiff.

DW-4 alongwith counsel Ms. Geeta Dhingra.

Adjournment sought on behalf of plaintiff on the ground that main counsel is not available today as his wife is not well. Adjournment strongly opposed by defendant's counsel.

Considering the personal problems of counsel for plaintiff, the matter is adjourned for DE, for 16.12.2017.

(Charu Aggarwal)

ADJ-03/West Distt./THC/Delhi

13.12.2017

Prem Sagar Sachdeva Vs/. Sanjay Bhatia

New No. 613720/2016

13.12.2017

Present: Sh. B. K. Shukla, counsel for plaintiff.
Sh. Manoj Jha, counsel for Corporation Bank (proposed defendant).
Sh. Gurvinder Singh, counsel for defendant no. 3
Ms. Deboshree Saha, proxy counsel for defendant no. 4.

Summons sent to defendant no. 1 through Jail Superintendent received back unserved with the report that “no police official was present in Tihar Jail to receive the summons”.

Summons sent to defendant no. 2 on both the addresses received back unserved with the report that “nobody by the name of defendant no. 2 met on the given addresses”

Let summons of the suit be sent to defendant no. 1 through Jail Superintendent on filing of PF/RC for next date.

Counsel for plaintiff submits that defendant no. 1 will appear in the concerned court in FIR No. 397/14, PS Rajouri Garden, on 20.12.2017, therefore, he requests for dasti service. Request for dasti service allowed.

Counsel for plaintiff further submits that addresses of defendant no. 2 given in the plaint are the last known addresses in the knowledge of the plaintiff. Let summons of the suit be sent to the defendant no. 2 on both the addresses on filing of PF/RC for next date. Service be also effected through affixation. Photographs of affixation be also placed on record on next date.

Put up for service report of defendants no. 1 & 2, on 26.02.2018.

(Charu Aggarwal)
ADJ-03/West Distt./THC/Delhi
13.12.2017

Baldev Singh Sehgal Vs. Ved Kumari

New No. 613050/2016

13.12.2017

Present: Sh. Rakesh Kumar Sharma, counsel for plaintiff.
Ms. Manju Mehta, counsel for defendant.

Put up with connected case on 10.01.2018.

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(Charu Aggarwal)
ADJ-03/West Distt./THC/Delhi
13.12.2017

Baldev Singh Sehgal Vs. Rakesh Mukhija

New No. 613042/2016

13.12.2017

Present: Sh. Rakesh Kumar Sharma, counsel for plaintiff.
Ms. Manju Mehta, counsel for defendant.

Put up with connected case on 10.01.2018.

(Charu Aggarwal)
ADJ-03/West Distt./THC/Delhi
13.12.2017

Baldev Singh Sehgal Vs. Satyawati & Ors.

New No. 613041/2016

13.12.2017

Present: Sh. Rakesh Kumar Sharma, counsel for plaintiff.
Ms. Manju Mehta, counsel for defendant.

Put up with connected case on 10.01.2018.

(Charu Aggarwal)
ADJ-03/West Distt./THC/Delhi
13.12.2017

M/s Durian Industries Ltd. Vs. Space Infra Interior Solutions P Ltd.

New No.

13.12.2017

Fresh suit received by way of assignment. It be checked and registered.

Present: Sh. Dhruv Rohatgi, counsel for plaintiff.

Summons of the suit be sent to the defendant on filing of PF/RC for
07.03.2018.

(Charu Aggarwal)
ADJ-03/West Distt./THC/Delhi
13.12.2017

Vishwanath Khanna Vs. Harish Kumar & ors.

New No. 1309/2017

13.12.2017

File taken up today on an application moved by the plaintiff u/O 39 Rule 1 & 2 CPC, seeking ex-parte interim stay.

Present: Plaintiff alongwith counsel Sh. Abhishek Kumar.

It is stated in the application that the plaintiff and defendants are in joint possession of the suit property. The defendant no. 1 to 6 are raising construction on the same, therefore, they be restrained from constructing the suit property. No ground for ex-parte stay is made out as the rights of the plaintiff are not going to be prejudiced even if the construction is raised on the suit property. The application is accordingly dismissed.

Put up on date fixed i.e. 25.01.2018.

(Charu Aggarwal)
ADJ-03/West Distt./THC/Delhi
13.12.2017

Vijay Goel Vs. Delhi Financial Corporation

New No. 610979/2016

13.12.2017

PW-1

Statement of Sh. Vipin Kumar Sharma, S/o Sh. Jagdish Parshad, aged about 46 years, R/o 21-A, Gali No. 6, East Laxmi Nagar Market, Delhi.

On S.A.

I tender my evidence by way of affidavit which is Ex. PW-1/A bearing my signatures at points A & B. I rely upon the documents Ex. PW-1/1 to Ex. PW-1/2 (OSR). I also rely upon certain other documents copies of which are marked as Mark "P-1" to "P-10".

XXXXXXX by Sh. Suraj Kumar, counsel for defendant.

Deferred.

RO&AC

(Charu Aggarwal)
ADJ-03/West Distt./THC/Delhi
13.12.2017

Krishna Kumari & Ors. Vs. Baldev Singh Sehgal

New No. 613048/2016

13.12.2017

Statement of Sh. Baldev Singh Sehgal, S/o Late Beant Singh Sehgal, aged about 72 years, R/o B-3/48, Janak Puri, New Delhi.

On S.A.

I am the defendant no. 1 in the present suit. I close my defence evidence.

RO&AC

(Charu Aggarwal)
ADJ-03/West Distt./THC/Delhi
13.12.2017

Krishna Kumari & Ors. Vs. Baldev Singh Sehgal

New No. 613048/2016

13.12.2017

D-2/DW-1

Statement of Sh. Sunil Kumar Sawhney, S/o Sh. Kailash Chander Sawhney, aged about 55 years, R/o Shiv Shakti Transport, Mohaba Road, Near Gurudwara, Chattarpur, Madhya Pradesh.

On S.A.

I tender my evidence by way of affidavit which is Ex. D-2/DW-1-A bearing my signatures at points A and B. I rely upon relinquishment deed dated -----, certified copy of which is Ex. D-2/DW-1-B

RO&AC

(Charu Aggarwal)
ADJ-03/West Distt./THC/Delhi
13.12.2017

13.12.2017

PW-5

Statement of SI Sudhir Kumar Tyagi, PIS No. 28840114, 3rd Battalion, Police Line, Vikas Puri, New Delhi.

On S.A.

I tender my evidence by way of affidavit which is Ex. PW-5/A bearing my signatures at point A and B. I rely upon certain documents which are Ex. PW-5/1 to Ex. PW-5/4 (OSR). The documents marked as "PW-I" to "PW-V" in my affidavit may be read as Ex. PW-5/1 to Ex. PW-5/4 as the documents marked "PW-3" has already been exhibited as Ex. PW-1/4. **(Objected to by counsel for defendant for mode of proof as the documents are only photocopies).**

XXXXXXXX by Sh. Vivek Srivastava, counsel for defendant.

In the year 2008, I was posted as ASI (Budget), 3rd Battalion. I was not posted as accountant during the said period. I have been posted as accountant in 3rd Battalion in February-2016. All the documents, I have relied upon in my affidavit of evidence, are computer generated. None of the documents relied upon by me in my affidavit have been signed by me. I had no occasion to meet or interact with the defendant Mahabir Singh. In the record brought by me, there is no letter addressed to Mahabir Singh to intimate him about the leaves available to him. **Vol.** Our Section is not concerned with the leave record, our section is concerned only with maintaining the record after getting order from the competent authority regarding pay and other allowances/leave etc. The documents in my affidavit have not been prepared by our section, we only receive the documents from other sections. Our section does not verify the record received from the other sections/units. **Vol.** The said record is sent to us by the different sections through competent authority under their signatures, therefore, it does not require any separate verification by our section. The chart Ex.PW-5/4 is

prepared by our section. The said chart has been prepared by our section on the basis of leave order received from other sections. The leave orders being referred by me above are filed on record. I have no personal knowledge regarding the correctness of the record prepared by other sections and sent to our section. **Vol.** Since the record sent to our section under the signatures of competent authority, therefore, there is no doubt regarding its correctness. It is wrong to suggest that the record produced by me is not the correct record regarding the defendant Mahabir Singh.

(Further cross examination is deferred as it is lunch time).

RO&AC

(Charu Aggarwal)
ADJ-03/West Distt./THC/Delhi
13.12.2017