

Civ DJ 13756/16
CNR DLWT01-009062-2016
SHASHI DUA
VS
PRABHA ANAND AND ORS

18.01.2025

Present: Sh Tarique Siddiqui, Fajallu Rehman and Ms. Laksmi, counsel for plaintiff.
Sh Rajat Sang, counsel for defendant no.1 to 3.
Sh Mohinder Singh Sachdeva, counsel for defendant no.4 and 5
Sh Sahil Sharma, proxy counsel for defendant no.9 through v/c.

An application under Order I Rule 10 of CPC filed on behalf of applicant namely Smt Sunita Kapoor on 22.11.2024.

Submissions heard.

Order on application under Order I Rule 10 of CPC filed on behalf of applicant Smt Sunita Kapoor.

By way of present application, applicant Smt Sunita Kapoor wants to implead herself as a party. It is averred in the application that she had purchased the third floor of the suit property from Smt Bhupinder Kaur (who is defendant no.9) vide registered documents. It is also averred in the application that husband of applicant namely Sh Rajesh Kapoor also appeared before this court on 13.09.2024 and apprised the court about that his wife has purchased the suit property from defendant no.9 on 03.07.2024.

No reply to the said application filed on behalf of plaintiff, however, counsel for plaintiff has submitted that he has no objection if the said application is allowed.

Heard. Record perused.

After going through the contents of the present application and the submission made by Sh Rajesh Kapoor on 13.09.2024, I am of the considered view that presence of proposed defendant namely Smt Sunita Kapoor is necessary and proper party to adjudicate the issue involved in the present case. Hence, **application under Order I Rule 10 of CPC stands allowed. Smt Sunita Kapoor is impleaded as defendant in the present case.** Plaintiff is directed to supply copy of plaint alongwith documents to the newly impleaded defendant against an acknowledgment and to file amended memo of parties.

Vide order dated 13.09.2024, defendant no.9 was directed to be present physically. However, she has failed to appear. ***Show cause notice be issued to defendant no.9 to appear in person and to explain.***

To come up for filing of WS on behalf of newly added defendant and for appearance of defendant no.9 on 20.03.2025.

Interim order to continue till the next date of hearing.

(Goma Dabas Gupta)
District Judge-06
West District, Tis Hazari Courts
Delhi/18.01.2025