

8 CS 147/25

SANJU VERMA ALIAS SAZIA ASIF Vs. SACHIN VERMA
DLET01-001188-2025

29.07.2026

Present: Sh. Shiv Kumar and Ms. Roshni, Ld. Counsels for the plaintiff.

None for defendant no. 1, 3 & 4.

Sh. Kashif Ahmad Khan, Ld. Counsel for the defendant no.2.

Sh. Vikas Kumar, Ld. counsel for defendant no.5.

Fresh Vakalatnama on behalf of defendant no.5 filed. Written Statement alongwith List of documents and documents and Vakalatnama on behalf of defendant no. 2 filed. Copy be supplied today itself.

An application under Order VII Rule 11 CPC and another application under Order VIII Rule 1 CPC filed on behalf of defendant no.2. Copy be supplied today itself.

Arguments on application under Order VIII Rule 1 CPC heard. Record perused.

In the instant application, defendant no.2 averred that the previous counsel had not pursued the instant matter diligently and due to her fault, a delay of 60 days occasioned in filing of the written statement. Ld. counsel for plaintiff states at bar that he has no objection, if the aforesaid application is allowed subject to heavy cost.

In view of the submissions made, **the application in hand is allowed** subject to cost of Rs.1000/- to be paid to the plaintiff. Cost paid.

Written Statement of defendant no.2 is hereby taken on record. Replication to Written Statement of defendant no.2 be filed within 30 days from today with advance copy to the opposite side.

Ld. Counsel for the defendant no.2 submits that he has not been supplied with the copy of the application under Order XXXIX Rule 1 & 2 CPC and documents. Same be supplied today itself against acknowledgement. Reply be filed within four weeks with advance copy to opposite side. Rejoinder, if any, be filed within two weeks thereafter.

Part arguments on application under Order VII Rule 11 CPC heard. Ld. counsel for defendant no.2 has placed reliance upon the judgment of *Neelam Bhatia vs. Ritu Bhatia, CS (OS) 141/2022 Dated 29.01.2026*, wherein the Hon'ble Delhi High Court had rejected the plaint under Order VII Rule 11 CPC on the ground that the plaint does not disclose a cause of action. In the said suit, the plaintiff had sought the relief of partition and declaration of title and the plaintiff was claiming title in the suit property on the basis of unregistered agreement to sell, GPA and a receipt.

Ld. counsel for plaintiff submits that he needs to do some research in this regard and will address arguments on application under Order VII Rule 11 CPC on the next date.

Re-notify the matter for arguments on application under Order VII Rule 11 CPC on **28.09.2026**.

(SHUCHI LALER)
District Judge-02 (East),
Karkardooma Courts/29.07.2026