

40 M A C T 1119/22
USHA DEVI Vs. BHAGAT SINGH

01.05.2024

Present: Sh. Vijay Upadhyay, Ld. counsel for petitioner.
Sh. Samarpal Singh, ld. counsel for R1 (through VC).
Ms. Insha, Ld. proxy counsel for R3.

An application under Order 9 Rule 7 r/w Section 151 CPC for set aside the ex-parte order of dated 01.05.2023 on behalf of R1 was filed.

Submission heard. Record perused.

Perusal of file reveals that there is one appearance on behalf of R1 by the name of one counsel Sh. Amir Mohammad. Perusal of file further reveals that there is only memo of appearance filed on behalf of R1 but subsequently, no one has appeared. No vakalatnama has been filed on behalf of R1.

In view of these facts and circumstances of the case, no proper appearance has been given on behalf of R1. Hence, the application under Order 9 Rule 7 r/w Section 151 CPC for set aside the ex-parte order of dated 01.05.2023 on behalf of R1 is allowed.

R1 is directed to file the written statement within 4 weeks, with advance copy be supplied to the opposite party/counsel at least 3 days before NDOH against acknowledgment.

Put up for further proceedings on 06.06.2024.

(Shivaji Anand)
ADJ-1+ MACT, N/W, Rohini Courts,
01.05.2024