

CS SCJ 468/26

MUKESH ARORA Vs. INSPECTOR SATISH KUMAR

01.07.2026

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

Present : Mr. Surinder Singh & Mr. Devesh Sharma, Ld. Counsels
for plaintiff.

Mr. Narender, Ld. Counsel for defendant no.3 with
defendant no. 3.

None for D1 and D2.

Matter is at the stage of arguments on application u/o
XXXIX Rule 1 & 2 CPC.

Reply is not filed on behalf of defendant no.3 and the
remaining defendants have not even appeared despite directions by the Ld.
Vacation Judge.

Ld. Counsel for D3 has filed an application u/o VII Rule 11
CPC and u/s 151 CPC. Copy is not supplied. The Ld. Counsel submits that he
will provide the copy of reply to application u/o XXXIX Rule 1 & 2 CPC
today itself and the copy of the applications filed today. Service be made
against acknowledgment by today itself.

The Ld. Counsel for plaintiff submits that he needs one day
time to go through the reply and thereafter, he can address the arguments. The
Ld. Counsel for D3 is questioned if the defendant no.3 is willing to make a
statement that he will not disturb the possession of the plaintiff qua the suit
property till the time arguments for the application u/o XXXIX Rule 1 & 2
CPC are heard by the Court as the defendant no.3 has been negligent in filing
the reply, due to which the urgency of the plaintiff cannot be catered to today.

Ld. Counsel for D3 submits that the parties will maintain
status quo. Separate statement of D3 is also recorded. In view of the same, **the**

parties are directed to maintain status quo of the suit property till the NDOH.

No reason is forthcoming for not filing the reply by D1 and D2. Show cause notice be issued to D1 and D2 through concerned DCP, with direction to explain why no action should be taken against them.

Since defendant no.3 is also questioning the maintainability of the suit, the plaintiff is also directed to be prepared with arguments on application filed u/o VII Rule 11 CPC. The plaintiff is directed to provide advance copy of reply to the opposite side for application u/o VII Rule 11 CPC as well.

WS is also not filed on behalf of the defendants. The same be filed within the statutory period as the date of service is stated to be 20.06.2026.

The Ld. Counsel for plaintiff submits that the additional documents filed today have already been e-filed and advance copy was supplied to all the defendants yesterday.

The defendant no.3 is directed to e-file the documents filed today within the course of the day.

List the matter for arguments on application u/o XXXIX Rule 1 & 2 CPC and application u/o VII Rule 11 CPC on 04.07.2026 at 2 pm.

Copy of this order be given dasti to plaintiff, as prayed for.

(Shilpi Singh)
ACJ/CCJ/ARC (South),
Saket Courts/01.07.2026