

19.11.2025

Present: Ld counsel for the plaintiff.
Ld counsel for the defendant.

Reply to the application u/o 9 Rule 7 CPC filed by the plaintiff.

Vide the present application the defendant is seeking the recalling of the order dt 25.04.2025 vide which the defendant has been proceeded ex parte.

It is been put forward in the application that the defendant was suffering from kidney stone problem due to which the defendant was in severe pain and accordingly could not appear before the court on 25.04.2025. Accordingly, it is prayed that the order dt 25.04.2025 be set aside and the defendant be given opportunity to contest the case on merits.

Ld counsel for the plaintiff submits that he has no objection in case the order dt 25.04.2025 be recalled as the defendant always have the right to join the proceedings at a subsequent stage.

In view of the submissions made and in view of the fact that the defendant has been able to show sufficient cause for his non appearance on 25.04.2025, the application u/o 9 Rule 7 CPC is allowed and the order dt 25.04.2025 thereby proceeding ex parte against the defendant is recalled.

Ld counsel for the plaintiff submits that since other LR's of Late Sh Deep Chand Sharma have not been made a party he would be filing appropriate application seeking their impleadment who are also necessary parties in the present suit.

Re-notify the matter for further proceedings on **31.01.2026**.

(Sachin Sood)
DJ-01 (Central)
THC, Delhi/19.11.2025.