

Hari Chand Vs Ramesh

Present: Sh. Sunil Lall, Advocate for plaintiff.
Defendant No. 4 stated to have expired (ex parte in main suit VOD 24.07.2019)
Remaining defendant No. 2 ex parte VOD 24.07.2019.
Sh. Ombir Singh Chechi, Advocate for defendants No. 3 and 5.
Sh. Rajesh Bhardwaj, Advocate for defendant No. 1 (ex parte in main suit VOD 24.07.2019).

1. Perusal of the file shows that during summer vacations on 16.06.2026, an **application** was filed on behalf of plaintiff seeking issuing of directions to the SHO concerned to stop illegal and unauthorized construction being carried out in violation of stay/interim order dated 24.07.2019. In this respect, vide order dated 16.06.2026 passed by the Vacation Judge Ms. Aakriti Verma, Ld. CJ(JD), Palwal, notice was issued to all the defendants of the suit, pursuant to which, Power of Attorney was filed on behalf of defendants No. 3 and 4 by Sh. Ombir Singh Chechi Advocate, who had apprised the Vacation Court that defendant No. 4 namely Bacchu has expired and had sought time to move an appropriate application for bringing on record LRs of deceased defendant No. 4.

2. Further, qua the above-referred application moved on behalf of plaintiff, following order was passed by the Learned Vacation Judge on 18.06.2026:-

Merely, because the stay order is not mentioned in the subsequent order sheets does not mean that the stay order was not extended or that the defendants can take advantage of the same. This Court is convinced with the submissions made by Counsel for the applicant/plaintiff, who has produced photographs showing the defendants raising construction at the site. In these circumstances, in order to give effect to the interim order passed by the Court on 24.07.2019, this Court deems it fit to issue directions to the concerned SHO to ensure compliance of the order dated 24.07.2019 and to restrain all parties from raising any construction, as the same would tantamount to changing the nature of the suit property. Now, to come up on 23.07.2026 for filing reply as well as for filing relevant substitution application. File be sent back to the concerned Court immediately.

3. **Today**, fresh Power of Attorney has been filed on behalf of defendant No. 1. Alongwith it, an application for setting-aside the ex parte order dated 24.07.2019 against defendant No. 1 has also been filed.

4. Application for impleading LRs of deceased defendant No. 4 (ex parte in main suit VOD 24.07.2019) not filed. Adjournment sought. Heard. Allowed.

5. Now, to come up on **17.08.2026** for:
- (i) filing of reply by the plaintiff, to the application for setting-aside ex parte order dated 24.07.2019 passed against defendant No. 1,
 - (ii) filing of application for bringing on record LRs of deceased defendant No. 4,
 - (iii) consideration on application for setting-aside ex parte order dated 24.07.2019 passed against defendants No. 3 and 5.

(Mansi Dhiman)
Addl. Civil Judge (Sr. Divn.),
Palwal
UID No. HR-0343

Date of Order: 23.07.2026

Vanita/Steno Gr. II