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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CS(OS) 42/2024**

M/S KAUSHALYA PREM BHATIA TRUST AND ORS

..... Plaintiffs

Through: Mr. Manu Nayar and Ms. Swati
Bansal, Advocates.

versus

RAJINDER MEHTO

..... Defendant

Through:

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

% **01.04.2024**

I.A. 7180/2024

By way of the present application filed under section 151 of the Code of Civil Procedure 1908 ('CPC'), the plaintiffs seek exemption from filing an apostilled affidavit of Mr.Chander Shekhar, who is stated to be a trustee of plaintiff No.1 trust, submitting that the said person is based in Mississauga, Ontario, Canada, and has therefore filed an affidavit notarised by a Notary Public in that country.

2. Be that as it may, let an affidavit, duly apostilled by the Indian High Commission /Consulate in Canada, be filed by the plaintiffs, within 06 weeks.
3. Subject to compliance of the above, the present application is disposed-of.

I.A. 7179/2024

4. By way of the present application filed under section 151 of the CPC, the plaintiffs seek a direction to the defendant to pay *mesne*



profits/damages for unauthorised use and occupation of a property, which is claimed to be trust property, as per details contained in the application.

5. Issue notice.
6. Upon the plaintiffs taking requisite steps, let notice be sent to the defendant by all permissible modes, returnable for the next date.
7. Let the notice indicate that reply to the application be filed within 06 weeks of service; rejoinder thereto, if any, be filed within 04 week thereafter; with copies to the opposing counsel.
8. List before the learned Joint Registrar for completion of pleadings in this application on 05th July 2024.
9. List before court on 16th July 2024.

ANUP JAIRAM BHAMBHANI, J

APRIL 1, 2024

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