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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **LA.APP. 37/2022 & CM APPL.2650/2022**
NORTH DELHI MUNICIPAL CORPORATION

..... Appellant
Through: Ms. Namrata Mukim, Standing Counsel
with Ms. Garima Jindal, Advocate
for MCD
versus

SHIV KUMAR & ORS. Respondent

Through: Mr. Vaibhav Kumar Rana, Advocate for
respondent Nos.1 and 2
Mr. Saurabh Taneja, Advocate for
respondent Nos.3, 4, 5(a to d), 6, 7, 8,
9(a to i), 10 & 21(a to f)
Ms. Urvashi Sharma, Advocate for
respondent Nos. 11 to 20, 22 to
42, 44 to 46
Mr. Sanjay Kr. Pathak and Mr. M.S.
Akhtar, Advocates for respondent
No.47/UOI

CORAM: MS. KAUSHLYA VERMA, REGISTRAR

% **ORDER**
31.10.2022

Today's Court proceedings are conducted through physical/hybrid mode.

As per office report, notice in terms of order dated 01.08.2022 could not be issued to respondent No.43 as process fee was not filed by the appellant. However, learned counsel appearing for the appellant submits that service on all the respondents is complete and an affidavit of service has also been filed in this behalf under order 3



rule 5 CPC. However, the same is not on record. Learned counsel for the appellant is directed to check with the registry and have her affidavit of service placed on record before the next date.

Vide order dated 19.04.2022, the appellant was directed to deposit the remaining 25 per cent of the decretal amount within ten weeks from the date of previous order dated 14.01.2022 and was thus required to deposit the said amount by 20.04.2022. However, the said order of the Hon'ble Court has not been complied with by the appellant. Learned counsel appearing for the appellant seeks some time to have instructions and requests for a short adjournment.

At request, adjourned to 16.11.2022.

CM APPL.24222/2022 (u/O XXXXI Rule 22 CPC by respondent Nos.11 to 20, 22 to 42, 44 to 46)

As per office report, respondent Nos.8 and 43 stand served through ordinary process. However, there is no appearance on behalf of respondent No.43 despite service.

At request, list again on 16.11.2022.

REGISTRAR

OCTOBER 31, 2022/m