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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(OS) 20/2020, I.As. 22660/2023, 22661/2023 & 22662/2023**

**T R ANAND PROPERTY CONSULTING
PRIVATE LIMITED**

..... Plaintiff

Through: Mr. N. K. Verma & Mr. Narendar,
Advts.

AJS BUILDERS & ANR.

..... Defendants

Through: Ms. Stavhi Asthana, Adv. for GDA
(M. 9711116034)
Mr. Vinay Kumar Dubey, Adv. for D-
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**CORAM:
JUSTICE PRATHIBA M. SINGH**

ORDER
% **23.01.2024**

1. This hearing has been done through hybrid mode.

I.As. 22660/2023 (for setting aside order dt. 6th April, 2023 & 24th April, 2023), 22661/2023 (for delay), 22662/2023 (for delay) in CS(OS) 20/2020

2. As per the plaint, the Plaintiff - T R Anand Property Consulting Pvt. Ltd. entered into an agreement to sell with the Defendant-AJS Builders for a land measuring 3.96 acres, located in Khasra Khatauni numbers 491 to 499 and 506, at village Makanpur, Indira Puram, Ghaziabad (*hereinafter*, 'suit property'). It is averred that the total agreed sale consideration was ₹5 crores. The present suit has been filed *inter alia* seeking a decree of specific performance, in favour of the Plaintiff, directing the Defendants to register the sale deed.

3. Vide order dated 6th April, 2023, the ld. Joint Registrar closed the right of the Defendants to file the Written Statement in terms of Order VIII



Rule 1 CPC. Thereafter, on 24th April, 2023, noticing that the right to file the Written statement was closed, the Court proceeded against the Defendants *ex-parte* in terms of Order IX Rule 6 CPC.

4. The present applications filed by the Defendants for setting aside of the decree are filed on the ground that the Defendants were not served in the matter. After having perused the record, and the Registry's report shows that service has been repeatedly effected on various addresses, including at '**D-86, Sector-40, NOIDA**', which has been provided as the address of the Defendants. Thus, it is deemed appropriate to direct Ms. Madhu Singh (**M:9871340009**) to remain present in Court on the next date of hearing.

5. In the meantime, the Plaintiff may file the replies to these applications within four weeks, after receiving the complete set of papers. Ld. Counsel for the Defendants shall serve the papers upon the ld. Counsel for the Plaintiff, within one week without fail.

6. List on 22nd April, 2024.

PRATHIBA M. SINGH, J.

JANUARY 23, 2024
dj/dn