

\$~6

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

+ CS(OS) 156/2020

I.A. 5074/2020 (under Order XXXIX Rule 1 and 2 CPC)

MR. NIRANJAN SWARUP GUPTA & ORS. Plaintiff

Represented by: Mr. Atul Kumar, Advocate.

versus

BIMLA DEVI & ORS. Defendant

Represented by: Ms. Kaadambari, Advocates with
Ms. Priyanka, & Mr. Ripudaman,
Advocate for D-4.
Mr. Sudarshan Advocate with
Mr. Samrat Nigam, Advocate for D-5.
Mr. Pradeep Bakshi, Advocate with
Mr. Puneet Khurana, &
Mr. Chandan Rai Chawla, Advocates
for D-6 to D-8.
Mr. Abhinav Singh, Standing Counsel
for D-9/GNCTD.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

% **26.08.2020**

The hearing has been conducted through Video Conferencing.

CS(OS) 156/2020

I.A. 5074/2020 (under Order XXXIX Rule 1 and 2 CPC)

1. Summons in the suit and notice in the application were to be served on defendant Nos.1 to 8 by the plaintiffs through e-mail, SMS and WhatsApp, returnable for today. However, learned counsel for the plaintiffs submit that since the plaintiffs did not have e-mail, SMS and WhatsApp numbers of defendant Nos.1 to 8 he could not serve them.

2. Learned counsels for defendant No.4, defendant No.5 and defendant Nos.6 to 8 enter appearance. They state that though they were not served but since they came to know, they approached the learned counsel for the plaintiffs and have now received the copies of the plaint, application and the documents.
3. Learned counsel for the defendants have raised number of objections to the maintainability of the suit, *inter alia*, stating that the suit has been filed by one Ankur Gupta, son of plaintiff No.4 without any duly registered Power of Attorney executed by the plaintiffs in his favour.
4. Learned counsel for the plaintiffs seek sometime to file the necessary documents.
5. Power of Attorney in favour of Mr. Ankur Gupta will be filed within two weeks.
6. List the suit and the application on 22nd September, 2020.
7. Order be uploaded on the website of this Court.

MUKTA GUPTA, J.

AUGUST 26, 2020

vk