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

+ **CS(OS) 246/2019**

MS. SALONEE PURI

..... Plaintiff

Represented by: **Ms. Jaya Goyal and Ms. Manpreet Kaur, Advocates.**

versus

MS. SANJANA ROY CHOUDHURY & ANR Defendant

Represented by: **Mr. R.K. Singh and Ms. Deepa Rai, Advocates.**

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

% **24.01.2020**

I.A. 16039/2019 (u/O XII R 6 CPC by the plaintiff)

1. Learned counsel for the plaintiff submits that though affidavit has been filed on behalf of defendants by defendant No.1, however, no affidavit has been filed by defendant No.2. Learned counsel for the defendants states that he will file affidavit of defendant No.2 as well within three weeks. Rejoinder affidavit, if any, be filed within three weeks.

2. List on 18th March 2020.

I.A. 18094/2019 (u/O XVI R 6 r/w S. 151 CPC by defendants)

1. By this application the defendants/counter claimant pray for summoning/preservation of the original records as stated in para 5 of the application, which are as under:-

(i) Joint account No.355702010003595 in Union Bank of India at Kailash

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Colony Branch

(ii) Joint account No.30104093304 in SBI, Defence Colony, Flyover Branch.

(iii) FDR Nos. 3060443871 and 3060443537 with the SBI

(iv) FDR Nos. 355703021012609 and 355703021010672 with the UBI.

2. Learned counsel for the plaintiff/non-applicant states that he has no objection to the preservation of the records as mentioned in the application. However, additionally all original records of joint account bearing No.159810755431 with Indusind bank, Palm Springs Plaza, Gurgaon and account bearing No. 50100209045550 with HDFC Bank, Vatika Atrium, Gurgaon be also preserved.

3. Notices be issued to the Manager of the concerned branches of the banks noted by the Registry, on the plaintiff taking steps through ordinary process, registered AD, Speed Post and *dasti* to ensure preservation of all the accounts as mentioned above and within four weeks of the receipt of the notices certified copies of the above records be filed before this Court.

3. Application is disposed of.

I.A. 6690/2019 (u/O XXXIX R 1 & 2 CPC)

I.A. 6691/2019 (u/O XXXII R 4 & 15 CPC)

1. By IA 6691/2019, the plaintiff seeks appointment of guardian ad litem for the mother. However, before deciding the application it would be appropriate in the first instance to grant permission to the plaintiff to meet the mother. Learned counsel for the defendants states that it would be appropriate if the meeting is at a public place otherwise due to the acrimony between the parties it would be difficult to manage at home. Consequently,

the plaintiff is permitted to meet her mother i.e. defendant No.2 once every month.

2. Learned counsel for defendant No.2 states that defendant No.2 would have no objection to coming to the Indian Habitat Centre. Consequently, on the parties fixing the time mutually once a month, the plaintiff and defendant No.2 will meet on the time mutually agreed at India Habitat Centre.

3. List on 18th March 2020.

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List on 18th Mach 2020.

MUKTA GUPTA, J.

JANUARY 24, 2020

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