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

+ **CS(OS) 307/2015**

RAGHUVINDER SINGH

..... Plaintiff

Through:

Mr. Hardik Arya, Adv. (appeared through videoconferencing)
Mr. Sarvesh, Adv. (physically present in court)

versus

SUKHVIR SINGH & ORS

..... Defendants

Through:

Ms. Ritu Singh Mann, Adv. for applicant Ms. Kamal Kumari in IA No.20/2018.
Mr. Amit Punj, Adv. for applicant in IA No.2461/2022.
D-3 in person (appeared through videoconferencing)

Coram:

Sh. Ashish Aggarwal (DHJS), Joint Registrar (Judicial)

ORDER

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04.03.2022

IA No.20/2018 (Application under Order 22 R 3 CPC moved by Ms. Kamal Kumari)

Learned counsel for applicant submits that the dispute between the plaintiff and the defendants had been referred to the Mediation Centre. She submits that the parties to the suit are not permitting her to join the mediation proceedings and that she may be permitted to be present there.

I am unable to accede to the prayer. The plaintiff and the defendants are trying to negotiate a settlement. The applicant is not a party to the suit



and, therefore, cannot claim, as a matter of right, permission to be present at the time of negotiations, particularly when parties to the dispute are unwilling to have participation of the applicant. The request is declined.

On 27.01.2022, notice of IA No.20/2018 was ordered to be issued for service upon Smt. Suresh. There is no mention of this notice in the office noting. There is nothing on the judicial record to indicate that notice had been issued. On taking of steps by the applicant within one week, fresh notice be issued of the said application, in terms of order dated 27.01.2022, returnable on the next date of hearing.

IA No.2461/2022 (Application under Order 1 Rule 10 read with Section 151 CPC on behalf of Supreme Infrastructure (India) Pvt. Ltd., having its registered office at 75-B, Eastern Avenue, Main Sanik Farms, New Delhi - 110062, for its impleadment as defendant in the present suit and for further directions)

Defendant no.3 submits that he has filed reply to the application. However, the same is not on record. The defendant no.3 or his counsel may check with the registry as to whether the said reply is lying under objections, and if so, he may remove the objections and have the reply placed on record.

Learned counsel for plaintiff accepts notice of the application. He submits that he has not received copy of the application. Let copy of the application be provided to him. Reply be filed by the next date of hearing.

Let notice be issued to the remaining defendants, returnable on **04.07.2022.**

(Ashish Aggarwal)
Joint Registrar (Judicial)

March 04, 2022/cl