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

+ **CS(OS) 499/2019**

RAKESH SHARMA

.....Plaintiff

Through: Ms. Vishakha, Adv. for plaintiff
with Mr. Rajender Prasad, SPA of
plaintiff.

versus

BHUVNESH KUMAR & ORS.

.....Defendant

Through: Ms. Sonal Sinha, Adv. for D-1 with
D-1 in person.

Mr. Kamal Kant, Adv. for D-2 & 3

CORAM:

**JOINT REGISTRAR (JUDICIAL) SH. DEVENDER
KUMAR GARG (DHJS)**

ORDER

% **25.04.2025**

Proceedings are being conducted through hybrid mode.

IA. No. 8603/2024 (by D-3 u/S 151 CPC)

1. The captioned IA is listed today for arguments.
2. As per office noting, documents filed by defendants vide diary no.113102/2025 were returned under objection. Let appropriate steps be taken as per law.
3. Ld. Counsel for defendant no.3 has submitted that he has been recently engaged in present matter. He has further submitted that he has filed certain documents i.e. relevant order sheets, however, the same are under objection. Ld. Counsel has shown his office copy containing order sheets passed by Ld. DJ, Patiala House Courts. The last order sheet is dated 07.11.2024 in which the next date of



hearing was 16.01.2025 and no order sheet after that has been shown. However, the matter is stated to be coming up before the said Ld. Court on 14.05.2025.

4. Ld. Counsel for defendant no.3 has failed to show that any summons have been issued to the plaintiff in said matter for today or any future date.
5. On the other hand, Ld. Counsel for plaintiff has submitted that SPA Mr. Rajender Prasad of plaintiff is present today alongwith copy of SPA. She has further submitted that Mr. Rajender Prasad has no authority to accept summons in some other matter pending before Ld. District Judge, Patiala House Courts. She has further submitted that copy of the above said SPA was filed alongwith plaint and thereafter, there is no renewal / modification in the said SPA.
6. Heard. Record perused. In view of the submissions and material available on record, captioned IA has become infructuous and same stands disposed off accordingly.

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7. As per office noting, list of witnesses filed vide dairy no. 99842/2025 and evidence affidavit filed vide diary no. 99762/2025, on behalf of defendant no.1, were returned under objection. Let appropriate steps be taken as per law.
8. Ld. Counsel for defendant no.1 has submitted that he has already re-filed the above said evidence affidavit and list of witnesses and the same should be on record. Let appropriate steps be taken as per law for getting the same placed on record within three days and in case, the same is not placed on record within three days, then, defendant



no.1 shall pay cost of Rs.3,000/- to the plaintiff on or before next date of hearing.

9. Re-notify the present matter for DE on **16th September, 2025.**

**DEVENDER KUMAR GARG (DHJS)
JOINT REGISTRAR (JUDICIAL)**

APRIL 25, 2025/v

Click here to check corrigendum, if any