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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CS(OS) 653/2019 & I.A. No. 15565/2022
MR. SUNIL SACHDEVA Plaintiff
Through: Ms. Shreya Singh, Advocate.
(M): 9911557649
Email: shreya.singh@asharma.in
versus
MR. ASHOK MAHINDRU & ORS. Defendants
Through: None.

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

% **22.09.2022**

I.A. No. 15565/2022 (Application on behalf of the plaintiff under Order XXXVII Rule 3 Sub Rule 4 of CPC for summons for judgment along with affidavit in support thereof)

1. This is an application on behalf of the plaintiff under Order XXXVII Rule 3 Sub Rule 4 of the CPC for summons for judgment.
2. It is the case of the plaintiff that the present suit has been filed for recovery of a sum of Rs.7,19,58,497/- (Rupees seven crores, nineteen lacs fifty eight thousand four hundred and ninety seven only) along with pendent lite and future interest of 18% p.a. till the payment of the decretal amount.
3. The present suit is based upon a Loan Agreement, various financing and security documents such as deed of guarantee, promissory note, director's declaration etc.
4. It is the case of the plaintiff that defendant nos. 1 to 3 were served via speed post and courier at their given address. The service was thus completed as regards defendant nos. 1 to 3. As regards



defendant nos. 4 to 9, it is submitted that they are the companies belonging to the family of the defendant nos. 1 to 3 and that the defendant no. 1 is the Chairman of the defendant nos. 4 to 9 companies and also authorised signatory of defendant nos. 4 to 9 companies. It is further submitted that plaintiff has served the defendant nos. 4 to 9 via their official email ids. Thus, it is submitted that all the defendants stand served.

5. It is submitted on behalf of the plaintiff that despite completion of service and expiry of the statutory period of 10 days from the date of service, none of the defendants have entered appearance.

6. Thus, it is prayed that since the completion of service stands reflected in the order dated 02.08.2022 passed by this Court, summons be issued for judgment.

7. Issue summons for judgment in Form 4A in Appendix B of Code of Civil Procedure, 1908 against defendant No.1 to 9.

8. Learned counsel for the plaintiff has drawn the attention of this Court to order dated 16.12.2019 passed by this Court wherein the defendants were directed to maintain *status quo* with regard to the title and possession of the property admeasuring 4 Bighas 16 Biswas at Khasra No. 437 (4-16), situated in the revenue estate of Village Rajokari, Tehsil Vasant Vihar, New Delhi.

9. In view thereof, interim orders to continue.

10. List before the Joint Registrar (Judicial) for completion of pleadings on 10.10.2022.

MINI PUSHKARNA, J

SEPTEMBER 22, 2022/ c