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

+ **CS(OS) 183/2017**

SHANTI PRAKASH

..... Plaintiff

Through: Mr. Aditya Vashisth, Adv.

Versus

LAKHMI NARAYAN & ORS

..... Defendants

Through: Ms. Amita Gupta, Mr. Zahid Hanief &
Mr. Sonu Lohia, Advs. for D-1 to 6.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

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02.02.2018

1. In this suit for partition of property bearing Khasra No.656/3, near Ice Factory, village Hari Nagar, Molar Band Extension, Badarpur, New Delhi, the defendants no.1 to 3 were served on 22nd May, 2017 and defendant no.4 on 30th May, 2017, the defendants no.5 and 6 were served on 16th May, 2017. The summons sent to defendants no.8 and 9 were returned back with the report that there is no such person at the address and the report of summons sent to defendant no.7 was awaited.

2. The order dated 11th October, 2017 records the presence of Mr. Sumit Sharma, Advocate for defendant no.1 only but the order otherwise records that the appearance had been put in on behalf of all the defendants.

3. No written statement has been filed for any of the defendants.

4. The counsel for the defendants no.1 to 6 states that she will be making an application for condonation of delay in filing the written statement.

5. The Court Master states that there is no vakalatnama on record on behalf of Sh. Sumit Sharma, Advocate or of any other advocate on behalf of the defendants.

CS(OS) 183/2017

Page 1 of 2



6. The counsel for the plaintiff on enquiry as to how the suit can proceed without all the defendants being served, states that the Reader of the Court of the Joint Registrar told him that all the defendants are served

7. The counsel to inspect the file and if all the defendants have not been served, to take steps for service of the unserved defendants by all modes including dasti, returnable on 11th April, 2018.

RAJIV SAHAI ENDLAW, J.

FEBRUARY 02, 2018

‘gsr’..

CS(OS) 183/2017

Page 2 of 2