

Nirmala Sharma vs. Ashwani Kumar and others

CMPMO No.350 of 2020

15.09.2025 Present: Mr. Kishore Pundir, Advocate, for the petitioner.

Mr. Goldy Kumar, Advocate, for respondents No.1 and 2.

CMP No. 22298 of 2025

From a perusal of the application, it is evident that on 9.10.2020, learned counsel appearing on behalf of present respondents No. 1 & 2 had appeared on behalf of all the respondents, meaning thereby that he had appeared on behalf of respondent No.3 also on the said date. However, no power of attorney was filed subsequently on behalf of respondent No.3.

In view thereof, respondent No.3 should have been proceeded against ex parte in the present proceedings. Therefore, the present application is misconceived and respondent No.3 is ordered to be proceeded against ex parte, as on 9.10.2020, learned counsel had appeared on his behalf but no power of attorney had been filed subsequently on behalf of the said respondent.

Application stands disposed of.

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At the request of learned counsel appearing on behalf of the petitioner, list after four weeks.

Mere pendency of the present proceedings before this Court shall not preclude the trial Court from proceedings further in the matter.

(Bipin C. Negi)
Judge

15th September, 2025
Tarun