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**IN THE COURT OF SH. BIARAT AGGARWAL, CIVIL
JUDGE, DELHI (WEST)-02**

SUIT NO. /2020

Onkar Singh

Plaintiff

Versus

Surinder Singh and other

Defendants

THROUGH CISCO WEBEX VIDEO CONFERENCING

Date:23/06/2020 (2.55 P.M to 3.15 P.M)

Fresh suit received by way of assignment by Ld. SCJ, Delhi through email at the office email address i.e. "readerej02west@gmail.com" of this court today at 1.54 P.M. Let it be checked and registered.

Present:- Sh. Sumit Gaba, Ld. Counsel for plaintiff. (Mobile No.9310377771)

(E-mail ID of Sh. Sumit Gaba : Sumitgabaadvocate@gmail.com)


1. Ld. Counsel for the plaintiff has advanced certain arguments on the point of consideration of this suit. He states that the defendants being the brothers of the plaintiff has an intention to forcefully dispossess the plaintiff from shop no.4 forming part of property bearing No.C-34, Sharda Puri, New Delhi.

2. Let an affidavit be filed by the plaintiff disclosing the official e-mail addresses and mobile numbers and also Whatsapp mobile application numbers of the defendants. Upon doing so, let summons of the suit and notice on the interim application be issued upon the defendants electronically through Nazarat Branch, Tis Hazari Court, Delhi.

3. Let service be also effected by the plaintiff himself upon the defendants along with the copy of this order and affidavit of service be filed by the plaintiff at least three days in advance of the next date of hearing.

Put up for further proceedings/arguments on the interim application on 08/07/2020.

A copy of this order be sent to the Ld. Counsel for plaintiff and also to the filing/computer branch Tis Hazari Court, Delhi for uploading the same on the official website of District Courts.


Bharat Aggarwal

C.J-02, West, THC, Delhi

dt.23/06/2020

**IN THE COURT OF SH. BHARAT AGGARWAL, CIVIL
JUDGE, DELHI (WEST)-02**

SUIT NO. /2020

Isha Bhatia

Plaintiff

Versus

BSES Rajdhani Power Ltd.

Defendant

THROUGH CISCO WEBEX VIDEO CONFERENCING

Date:23/06/2020 (3.30 P.M to 3.55 P.M)

Fresh suit received by way of assignment by Ld. SCJ, Delhi through email at the office email address i.e. "readercj02west@gmail.com" of this court at 2.00 P.M. Let it be checked and registered.

Present:- Sh. Manoj Gahlaut, Ld. Counsel for plaintiff. (Mobile No.9717266273, 9211324585)

(E-mail ID of Sh. Manoj Gahlaut : Manoj28gahlaut@gmail.com)

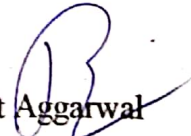
1. During the hearing through video conferencing several attempts were made to ensure smooth hearing, however, there were certain disturbance in the connection with the Ld. Counsel for the plaintiff and his arguments on the point of consideration could not be heard.
2. Perusal of the record reveals that the plaintiff has admittedly

not made the payment to the defendant/BSES despite settlement in the award dated 03/09/2019. It is further stated in the pleadings that an amount of Rs.16,810/- out of the total settlement amount of Rs.41,810/- has already been paid by the plaintiff and due to non-payment and non-compliance the electricity connection was disconnected by the defendant at the premises of the plaintiff on 29/11/2019.

3. The present case does not appear to be an urgent one as the electricity connection of the plaintiff has been disconnected since 29/11/2019 and it has already been six months thereafter. Even otherwise, admittedly the plaintiff has not made the payment for the bills to the defendant/BSES yet and chose to file the present case before making the due payments.
4. The court is refraining from passing any orders today as there were connectivity issues with the counsel for the plaintiff.

Now, put up for hearing on the point of consideration on 27/06/2020.

A copy of this order be sent to the Ld. Counsel for plaintiff and also to the filing/computer branch Tis Hazari Court, Delhi for uploading the same on the official website of District Courts.


Bharat Aggarwal

C.J-02, West, THC, Delhi

dt.23/06/2020

IN THE COURT OF SH. BIHARAT AGGARWAL, CIVIL

JUDGE, DELHI (WEST)-02

SUIT NO.528/2019

R.K. Enterprises

Plaintiff

Versus

The Superintending Engineer and Another

Defendant

THROUGH CISCO WEBEX VIDEO CONFERENCING

Date:23/06/2020 (2.00 P.M to 2.40 P.M)

Present:- Sh. Ashok Mishra, Ld. Counsel for plaintiff. (Mobile No.9818409855)

(E-mail ID of Sh. Ashok Mishra : ashok@gmail.com)

Ms. Gauri Puri, Ld. Counsel for defendants. (Mobile No. 9899339554)

(E-mail ID of Ms. Gauri Puri : Gauri@gpuri.in)

1. By way of this order I shall decide an application u/s 151 CPC filed by the defendants electronically received by this court through email on the official e-mail address of this court i.e. readercj02west@gmail.com on 17/06/2020.

It is stated therein that the last order dated 16/03/2020 whereby this court had directed the defendants to remain present in person on the

next date of hearing, be recalled to the extent that the defendants being the officials of the PWD should not be called in person as their non-appearance on 16/03/2020 was in fact due to various advisories issued by the Hon'ble High Court of Delhi and in view of the pandemic.

2. Arguments heard. For the reasons stated in the application and in the interest of justice, the application is allowed and the order dated 16/03/2020 is modified only to the extent that the defendants are not required to remain present in person on the next date of hearing in this case.


3. Ld. Counsel for the plaintiff submits that as per the arbitration clause existing in the agreement between the parties, the plaintiff has already requested the defendants for the initiation of arbitration proceedings, however, despite several attempts no arbitrator could be appointed as the defendant has been delaying the case.

Further, counsel for the defendants submits that the defendants shall take steps for appointment of arbitrator mutually as per the provisions of Arbitration and Conciliation Act, 1996.

4. As the matter has been pending for almost one and half year, the defendants are directed to initiate the arbitration process immediately and take positive steps in this direction within two weeks from today and inform the court about the same on the next date of hearing. Defendant, being a public body is expected to consider the requests for initiation of arbitration in a serious manner and take every effort bonafidely to ensure there can be smooth resolution of dispute raised by the plaintiff.

5. Now, put up for arguments on the pending application u/s 8 of Arbitration and Conciliation Act, 1996 filed by the defendants, the reply to which is already on record, on 07/08/2020, i.e., date already fixed.

A copy of this order be sent to the Ld. Counsel for plaintiff and defendants and also to the filing/computer branch branch Tis Hazari Court, Delhi for uploading the same on the official website of District Courts.


Bharat Aggarwal
C.J-02, West, T11C, Delhi
dt.23/06/2020