

In the court of Shri Narinder Kumar, District Judge (Commercial Courts-01)
West District, Tis Hazari Courts, Delhi

Civ DJ No. /2020

Smt. Jasbir Kaur

... Plaintiff

Versus

1. Deepak Kumar
2. SDMC
3. BSES

... Defendants

THROUGH WEBEX VIDEO CONFERENCING

18.05.2020 (10:25 a.m.)

Present: Sh. Pardeep Kumar, counsel for plaintiff, who happens to be present in court room no. 317 and has attended proceedings from system installed in court room no.317 itself, having already visited the court complex in connection with other matter.

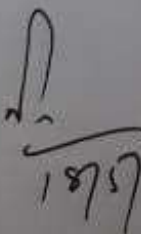
(Mobile Number : 9910857195)

(e-mail: pradeep.lwyr28@gmail.com)

Sh. Harish Kumar, counsel for defendant no.1

(Mobile Number : 8010079176)

(e-mail : harishhm08081991@gmail.com)


18/5/2020

None for defendant nos. 2 & 3.

This case file has been communicated to this court by the Filing Section, Tis Hazari Courts, Delhi through Reader of this court by e-mail, for hearing through WEBEX VIDEO CONFERENCING, while I happen to be present in my resident office.

File has been so put up for arguments on the injunction application filed by the plaintiff.

However, file reveals that defendant no.1 has not so far filed written statement or reply to the injunction application. Documents submitted by counsel for defendant no.1 reveal that one page unsigned reply is there amongst these documents. Court has inquired from counsel for defendant no.1 as to why written statement has not been filed and as to why reply to the injunction application is not in proper form and has not been got signed and verified from defendant no.1. Counsel for defendant no.1 admits this fact.

Counsel for defendant no.1 submits that he required sufficient time to file written statement and reply to injunction application and that for want of sufficient time, he could not prepare the same.

Suit was for the first time taken up on 11.05.2020 by the court of Shri Prashant Kumar, learned Additional District Judge-05 (West) and adjourned for 14.05.2020 for service upon all the defendants.

As regards defendant nos.2 & 3, court finds that there is no report from the Filing Section if any written statement or reply to the injunction application has been received from anyone of them. Despite repeated query raised, Filing Section has not replied in this regard. In the previous order dated 14.05.2020, there is no mention regarding service of these two defendants.

Filing section did not properly index the file. Directions need to be issued to the Filing section to send file, by e-mail after the same has been properly

22
18/5/20

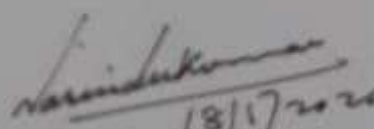
indexed. In this very file, last ten pages i.e. page 71 to 80 could not be opened. Filing section was repeatedly apprised through the concerned AOJ. Copy of the order be also communicated to the Officer Incharge, Filing section, to avoid inconvenience to the concerned Court.

Counsel for plaintiff seeks adjournment to file application seeking amendment of the plaint so as to array Smt. Kamla Devi as one of the defendants.

In the given situation, arguments on the injunction application cannot be heard. As requested by counsel for plaintiff, now case shall be taken up on 20.05.2020 through WEBEX VIDEO CONFERENCING. Counsel for defendant no.1 also agrees for listing of the matter on the said date.

In the meanwhile, counsel for plaintiff to submit copies of the application for amendment and proposed amended plaint etc to all the defendants and on receipt of the copies of the application for amendment and annexures, all the defendants to file reply to the application while supplying copies thereof to counsel for the plaintiff by e-mail / whatsapp.

Counsel for plaintiff submits that he shall comply with the order. Accordingly, be put up 20.05.2020 before concerned learned Additional District Judge on duty.


18/172020
(Narinder Kumar)

District Judge (Commercial Court-01)

West District, Tis Hazari Courts,

Delhi