MISC SCJ 37/18
RANBIR SINGH Vs. BAL KRISHAN JULKA

01.08.2019

Present: Sh. D.S. Patial, Ld. Counsel for plaintiff.

Sh. Prashant Bajaj, Ld. Counsel for defendant.

Arguments heard on the application of plaintiff under Order9 Rule 4 CPC and Order 9 Rule 9 CPC.

Ld. Counsel for plaintiff has argued that the non-appearance resulting into the dismissal of suit was on account of his mistake i.e. the counsel. An affidavit in support of his averments has already been filed by the counsel for plaintiff.

In view of the submissions and the contents of the affidavit, the instant application stands allowed, subject to a cost of Rs.1000/- to be deposited with the DLSA by plaintiff as per the order dt. 29.1.2018 in the original suit and a cost of Rs.1000/- to be paid to the defendant by the plaintiff on the next date of hearing. The suit is restored to its original number.

Put up for arguments on the application under Order 39 Rule 1 and 2 CPC on **27.09.2019.**

(Medha Arya)
Civil Judge(SW)/Dwarka Courts
New Delhi/01.08.2019