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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
CM(M) 1019/2017, CM Nos.33874-75/2017 (both for stay) & CM
No.33877/2017 (for summoning of TCR)
ANKUR MUTREJA Petitioner

Through: Petitioner-in-person.

Versus

AECHBS & ORS Respondents

Through: None.

AND

+ CM(M) 1026/2017, CM Nos.33898-99/2017 (both for stay) & CM
No.33901/2017 (for summoning of TCR)

ANKUR MUTREJA Petitioner

Through: Petitioner-in-person.

Versus

AECHBS & ORS Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

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15.09.2017

**CM Nos.33876/2017, 33878/2017 & 33879/2017 in CM(M) No.1019/2017
& CM Nos.33900/2017, 33902/2017 & 33903/2017 in CM(M)
No.1026/2017 (All for exemptions)**

1. Allowed, subject to just exceptions.

2. The applications are disposed of.

CM(M) 1019/2017 & CM(M) 1026/2017

3. CM(M) No.1019/2017 impugns the order [dated 12th September, 2017 in Civil Suit No.7733/2016 of the Court of JSCC-ASCJ-GJ, East District, Karkardooma Courts, Delhi] of dismissal of the application filed by the petitioner / defendant no.3 under Order VI Rule 16 of the CPC for striking out unnecessary pleadings in the plaint in the suit filed by the respondent no.1 Co-operative House Building Society against the petitioner and the

respondents no.2&3 who are the parents of the petitioner.

4. The petitioner appearing in person has been heard.

5. The petitioner has argued that in view of paras no.12 and 13 of the order dated 1st August, 2017 in CM(M) No.1135/2013 and CM(M) No.799/2017 earlier preferred by the petitioner, paras no.14 to 16 of the plaint were liable to be expunged.

6. Paras 14 to 16 of the plaint contain the plea of the respondent no.1 / plaintiff of the harassment meted out by the petitioner to the members of the respondent no.1 Co-operative House Building Society and of the interference by them in carrying out the work by the respondent no.1 Co-operative House Building Society in its property.

7. There is no merit whatsoever in the contention of the petitioner.

8. CM(M) No.1019/2017 is dismissed.

9. CM(M) No.1026/2017 impugns the portion of the same order dated 12th September, 2016 to the extent the petitioner / defendant no.3 in his application under Order VI Rule 16 of the CPC filed by him, sought clarification.

10. There is no merit in this petition also.

11. Dismissed.

11. I may record that the petitioner / defendant no.3 being an advocate is found to be filing frivolous applications in the suit and petitions in this Court and is cautioned that in future if other similar matters come up before this Court, exemplary costs will have to be imposed on the petitioner.

RAJIV SAHAI ENDLAW, J

SEPTEMBER 15, 2017/‘gsr’..

CM(M) 1019/2017 & CM(M) 1026/2017

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