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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ C.R.P. 226/2018 & C.M. No.42946/2018 (for stay)

ANIL MODI

..... Petitioner

Through: Mr. Mukul Gupta, Sr. Advocate with
Mr. Tushar Gupta, Ms. Nitya Gupta &
Mr. Sumit Mishra, Advocates.

versus

PRABHAT KUMAR & ANR

..... Respondents

Through: Mr. H.S. Arora, Advocate.

CORAM:

HON'BLE MR. JUSTICE VINOD GOEL

ORDER

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19.12.2018

1. The impugned order dated 29.09.2018 passed by the court of learned Additional District Judge-14, Central District, Tis Hazari Courts, Delhi ('ADJ') in Civil Suit No.823/2018, listing the application filed by the respondents under Order XII Rule 6 of the Code of Civil Procedure, 1908 ('CPC'), without even giving him an opportunity to file a reply, for orders, is the subject-matter of challenge in this revision petition.

2. Learned senior counsel for the petitioner contends that the petitioner was not given an opportunity to respond to the application under Order XII Rule 6 CPC by the learned 'ADJ'.

3. Learned counsel for the respondents has no objection if an opportunity is granted to the petitioner to respond to their application under Order XII Rule 6 'CPC'.

4. In the circumstances, the petition along with the application, being CM No. 42946/2018, is disposed of with the direction that the petitioner shall file reply to the application filed by the respondents under Order XII Rule 6 'CPC' within four weeks from the next date of hearing before the trial court. After hearing the parties, the trial court shall dispose of the application, in accordance with law. It is also directed that both the parties in terms of order of the learned 'ADJ' dated 27.07.2018 shall file certified copies of their respective bank statement for the relevant period.

DECEMBER 19, 2018
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VINOD GOEL, J.