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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CM(M) 128/2020 and CM APPL. 4448/2020, 4449/2020**
ANURADHA CHOWDHARY Petitioner
Through: Mr. Ashish Mohan, Ms. Hem Kumar,
Mr. Arjun Choudhary and Mr. Akshit
Mago, Advocates (M: 8826011170).
versus

CAPITAL LAND BUILDERS & ORS Respondents
Through: Mr. Ankit Jain, Mr. Abhay Pratap
Singh, Advocates for R-1
(M:8630526191)
Mr. Barnali Basak, Mr. Gurdeep
Chauhan and Mr. Aarzu Khattar,
Advocates for Sub-Registrar (M:
9811717869).

CORAM:
JUSTICE PRATHIBA M. SINGH

ORDER
% **04.02.2020**

1. After some hearing, with the consent of ld. counsel for the parties, the following two additional issues are framed in the suit:

3. Whether the plaint is not signed, verified and instituted by a duly authorized person on behalf of the Plaintiff Company? OPD

4. Whether the suit is barred under Section 34 of the Specific Relief Act, 1963? OPD

5. Relief

2. No other issues are pressed by the counsels. The prayer for waiver of costs is rejected. It is made clear that the Defendant No. 1 in the suit, i.e. the Petitioner herein shall appear in the suit diligently and not seek adjournments, failing which, further costs would be liable to be imposed by

the trial court, as it is the grievance of the Respondent that the Petitioner is deliberately not appearing regularly and/or seeking adjournments before the trial court. It is submitted that the contesting party is Respondent No.1 and the issues framed do not prejudice the subsequent purchaser - Respondent No. 2 in any manner. The petition is thus disposed of without further service to Respondent No. 2 as advance copy is stated to have been served.

PRATHIBA M. SINGH, J.

FEBRUARY 04, 2020
MR