

28.04.2025

Present: Sh. Rajeev Kumar Rai and Sh. Vinayak Rao, Ld.
Counsel for the plaintiff with plaintiff in person.
None for the defendant no. 1.
Sh. G. R. Verma and Sh. Deepak Grover, Ld.
Counsel for defendant no. 2 with defendant no. 2.
None for defendant no. 3. The right of defendant
no. 3 to file the WS already closed vide order dated
12.07.2023.

WS not filed on behalf of the defendant no. 1.
Stipulated period for filing WS has already expired. In view thereof,
right of defendant no. 1 to file WS is hereby closed.

Affidavit of admission-denial of documents filed by the
plaintiff in respect of documents of defendant no. 2. Copy supplied.

Ld. Counsel for the plaintiff submits that there is some
technical defect in uploaded copy of affidavit of admission-denial of
documents filed online, he seeks some time to re-upload the corrected
affidavit of admission-denial of documents. Let the same be uploaded
during course of the day.

Ld. Counsel for the defendant no. 2 also seeks some
time to file affidavit of admission-denial of documents, let the same be
filed within two weeks from today with advance copy of the same to
Ld. Counsel for the plaintiff.

At this stage, Ld. Counsel for the defendant no. 2
submits that an application u/O VII Rule 11 CPC and application u/O
VII Rule 14 CPC are also pending for disposal. The applicaiton u/O
VII Rule 14 CPC for placing on record some documents is filed by the
defendant no. 2 in wrong provision of law, however in the interest of

justice, the same is treated u/O VIII Rule 1-A (3) of CPC.

Arguments heard on the aforesaid applications.

Ld. Counsel for the plaintiff submits that he does not wish to file written reply to the application for placing on record certain documents filed by the defendant no. 2 and will straightaway argue the same.

Ld. Counsel for the defendant no. 2 submits that the documents filed along with the aforesaid application were not in possession of defendant no. 2 at the time of filing WS. It is argued that the said documents are necessary for disposal of the present suit.

Ld. Counsel for the plaintiff submits that he has no objection, if the said application is allowed, subject to heavy cost.

In view of the submissions made by Ld. Counsel for the defendant no. 2 and no objection given by Ld. Counsel for the plaintiff, *the aforesaid application is allowed subject to cost of Rs. 2,000/- to be paid to the plaintiff on or before the next date of hearing. The application is disposed of accordingly.*

Ld. Counsel for the defendant no. 2 submits that he has instructions from the defendant no. 2 to withdraw the application u/O VII Rule 11 CPC. His statement is recorded in this regard separately. In view of the same, *the application of defendant no. 2 moved u/O VII Rule 11 CPC stands dismissed as withdrawn and disposed of accordingly.*

Put up for completion of pleadings and framing of issues on **17.07.2025.**

(Hem Singh)
District Judge-01
East/KKD Court/Delhi/28.04.2025