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IN THE HIGH COURT OF DELHI AT NEW DELHI

CS(OS) 101/2016

NEERU DHIR AND OTHERS

..... Plaintiffs

Through: Ms. Kirti Karishma & Ms.
Saumya Shukla, Advs.

Versus

KAMAL KISHORE AND OTHERS

..... Defendants

Through: Mr. Devang Kumar, Adv. for
D-1
Mr. Lakshay Dhamija, Adv. for
D-2 to 9 (joined through VC)
(Mob. No.9873627270, Email:
lakshayadv168@gmail.com)

CORAM:

**JOINT REGISTRAR (JUDICIAL) MS. PRIYA
MAHENDRA, (DHJS)**

ORDER

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17.03.2023

CS(OS) 101/2016

It is jointly stated by the parties that the order dated 23.05.2019 passed by Hon'ble Single Judge allowing an application under Order VII Rule 11 CPC filed by the defendants, was assailed in RFA(OS) No. 73/2019 and the order dated 23.05.2019 passed by Hon'ble Single Judge was ordered to be set aside.

It is stated by learned counsel for the defendant no.1 that he has filed Affidavit of Admission/Denial of the documents in compliance of order dated 08.02.2023 vide diary no.482502/2023. However, the same is not on record. Learned counsel for the defendant no.1 undertakes to check up the same with the Registry and get the same placed on record after removing the objections, if any.



Affidavit of Admission/Denial of the documents, stated to have been filed by the plaintiff, is not on record. In the interest of justice, the last and final opportunity is granted to the plaintiff to take requisite steps within two weeks to bring the same on record.

Learned counsel for the defendant no.2 to 9 seeks sometime to file Affidavit of Admission/Denial of the documents. At request, learned counsel for the defendant no.2 to 9 is allowed to file Affidavit of Admission/Denial of the documents within two weeks with copy to the opposite side.

As per office note, court notice issued to defendant no.6 received back un-served. So, learned counsel for the defendant no.2 to 9 is directed to place fresh address of defendant no.6 on record within two weeks.

It is further stated by learned counsel for the defendant no.2 to 9 that an application bearing IA No.7213/2016 filed by the defendant no.4 to D-9A under Order I Rule 9&10 CPC and IA bearing No.8882/2016 filed by defendant no.2&3 under Order I Rule 9&10 CPC were also pending disposal at the time of disposal of application filed by the defendant under Order VII Rule 11 CPC. Learned counsel for the defendant no.2 to 9 seeks sometime to inspect the file and make submissions appropriately in respect of said applications, on the next date of hearing.

The plaintiff is directed to file soft copy as well as hard copy of Joint Schedule of the documents at least one week before the next date of hearing with copy to the opposite side.



Re-notify the matter for marking of exhibits to the documents on 31.05.2023.

PRIYA MAHENDRA (DHJS)
JOINT REGISTRAR (JUDICIAL)
MARCH 17, 2023/ab
[Click here to check corrigendum, if any](#)