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IN THE HIGH COURT OF DELHI AT NEW DELHI

CS(OS) 15/2021

RAJ KUMAR SETHI

.....Plaintiff

Through: Ms. Shailja Jha, proxy cl.

versus

ASHOK KUMAR SETHI & ORS.

.....Defendants

Through: Mr. Rajesh Mahindru, Adv. for
D-1&2

Ms. Beenashaw N. Soni with Ms.
Ann Joseph, Advs. for D5 & 6
(joined through VC)

CORAM:

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

ORDER

% **13.12.2024**

CS(OS) 15/2021

1. It is stated by learned counsel for the defendant no.1&2 that the plaintiff has paid to him previous cost of Rs.20,000/- as imposed vide order dated 13.09.2024 to him.

2. As per office note, Replication filed by the plaintiff is lying under objections. It is stated by learned counsel for the defendant no.1 that the said Replication has been filed to the Written Statement of defendant no.1 qua the amended plaint filed by the plaintiff. However, the plaintiff has not filed any Affidavit of Admission/Denial qua documents of the defendant no.1. Needless to say, the consequences as provided under law for not filing the same by the plaintiff shall follow. It is stated by learned counsel for the plaintiff that he has filed an application vide diary no.5871559 seeking condonation of delay in filing Replication. However, the said condonation of delay application is also lying under objections. So, plaintiff is directed to take requisite steps within two weeks to bring



Replication and condonation of delay in filing Replication on record, failing which cost of Rs.2000/- will be imposed upon the plaintiff.

3. Learned counsel for the defendant no.1 submits that he has received the copy of said condonation of delay application and wants to file reply to the same. Let reply to said condonation of delay application be filed by defendant no.1 within two weeks with copy to the opposite side, who is at liberty to file rejoinder, if any, within two weeks thereafter with copy to the opposite side.

4. At this stage, learned counsel for the plaintiff submits that he has also filed Replication to the Written Statement of defendant no.5&6 alongwith an application seeking condonation of delay in filing Replication but fails to disclose the diary number. It is stated that main counsel for the plaintiff is indisposed today. However, neither any Replication nor any condonation of delay application qua defendant no.5&6 filed by the plaintiff is on record, as per office note. So, the plaintiff is directed to take requisite steps within two weeks to bring Replication and condonation of delay in filing Replication stated to be filed by the plaintiff, failing which cost of Rs.2000/- will be imposed upon the plaintiff.

5. Learned counsel for the defendant no.5&6 submits that she has received copy of Replication and said condonation of delay application and wants to file reply to the same. Let reply, if any, to said condonation of delay application be filed by defendant no.5&6 within two weeks with copy to the opposite side, who is at liberty to file rejoinder, if any, within two weeks thereafter with copy to



the opposite side.

6. The plaintiff has not taken requisite steps to bring LR's of defendant no.2 on record. At this stage, it is stated by learned counsel for the plaintiff that all the LR's of D-2 are already parties in the present matter and that she will file a formal application in this regard. The same be filed within two weeks with copy to the opposite side.

7. In view of above and since the date before the Hon'ble Court is short, the matter may be placed before the Hon'ble Court on 10.01.2025, for further directions.

PRIYA MAHENDRA (DHJS)
JOINT REGISTRAR (JUDICIAL)
DECEMBER 13, 2024/ab
[Click here to check corrigendum, if any](#)