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

+ **CS(OS) 15/2021**

RAJ KUMAR SETHI

.....Plaintiff

Through: Mr. Harkirat Sawhney & Ms. Rati
Coshic, Advs. (Mob. no.9818215275
and Email: rati_93@hotmail.com)
(through VC).

Versus

ASHOK KUMAR SETHI & ORS.

.....Defendants

Through: Mr. Rajesh Mahendru, Adv. for D-1
& 2 (Mob. No. 9810194135).
None for D-3.
Ms. Beenashaw N. Soni with Mr.
Bhupesh Pandotra, Advs. for D-5 & 6
(Mob. No. 9810046611 and Email ID:
beenashaw.lawoffice@gmail.com).
D-4 is yet to be served.

CORAM:

**JOINT REGISTRAR (JUDICIAL) SH. DEVENDER KUMAR
GARG (DHJS)**

ORDER

22.09.2022

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**I.A. No.2531/2021 (under Section 151 CPC – by plaintiff for
modification of order dated 08/01/2021)**

1. No separate reply to the application has been filed by either of the
defendants.

**I.A. No. 9710/2021 (under Order VI Rule 17 r/w Section 151 CPC
moved by the plaintiff for amendment of plaint)**

1. Ld. Counsel for plaintiff already submitted that the plaintiff did
not wish to file rejoinder to the replies of defendant no. 1 & 2 and
defendant no. 5 & 6.



2. As per office noting, notice issued to defendant no.4 on his fresh address received back unserved with report of left. The plaintiff is directed to furnish current address of the defendant no.4.
3. On furnishing fresh address of the defendant no.4, issue fresh notice of the captioned IA to the defendant no.4 through all permissible modes.
4. Re-notify for completion of service and completion of pleadings and further proceedings on **16th December, 2022.**

I.A. No.8513/2022 (u/O XXXIX Rules 1 & 2 CPC by plaintiff)

1. As per office noting, notice issued to defendants no.1 & 2 through counsel has been served and notice issued to defendant no.3 has also been served.
2. Ld. Counsel for defendants no.1 and 2 seeks some more time for filing reply to the captioned IA. Let the same be filed within two weeks with advance copy to the opposite party, who may file rejoinder within two weeks thereafter.
3. Ld. Counsel for defendants no.5 and 6 submits that they have not received copy of the captioned IA. Ld. Counsel for plaintiff submits that he will supply the same within one week.
4. After receiving copy of the application, the defendants no.5 and 6 may file reply to the captioned IA within two weeks thereafter with advance copy to the opposite party, who may file rejoinder within two weeks thereafter.
5. The defendant no. 3 may file reply to the captioned IA within four weeks with advance copy to the opposite party, who may file rejoinder within two weeks thereafter.



6. On furnishing fresh address of the defendant no.4, issue fresh notice of the captioned IA to the defendant no.4 through all permissible modes.
7. Re-notify the captioned IA for completion of service, completion of pleadings and further proceedings on **16th December, 2022.**

CS(OS) 15/2021 & I.A.No.306/2021 (under Order XXXIX Rule 1 & 2 CPC)

1. As per office noting, vakalatnama was filed on behalf of defendant no. 5 & 6 on 13.06.2022.
2. Office noting further reflects that affidavit in compliance of order dated 08.03.2021 was filed on behalf of defendant no.1 vide diary no.1586643 dated 20.09.2022.
3. An application for amendment of plaint is pending.
4. On furnishing fresh address of the defendant no.4, issue fresh summons of suit and notice of the captioned IA to the defendant no.4 through all permissible modes.
5. Let the pleadings be completed as per law.
6. Re-notify for completion of service, completion of pleadings and further proceedings on **16th December, 2022.**

**DEVENDER KUMAR GARG (DHJS)
JOINT REGISTRAR (JUDICIAL)**

SEPTEMBER 22, 2022/v

Click here to check corrigendum, if any