



\$~6

*

IN THE HIGH COURT OF DELHI AT NEW DELHI

+

CS(OS) 15/2021

RAJ KUMAR SETHI

.....Plaintiff

Through: Ms. Rati Coshic, Advs. (through
VC).

versus

ASHOK KUMAR SETHI & ORS.

.....Defendant

Through: Mr. Rajesh Mahindru, Mr. Deepak
Sharma, Advocates for D-1 & 2
(through VC).

None for D-3.

None for D-4 despite service.

Ms. Beenashaw N. Soni, Adv. with
Ms. Mansi Bhatia, Advs. for D-5
& 6.

CORAM:

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

ORDER

24.04.2023

%

**I.A. No.2531/2021 (by plaintiff u/S 151 of CPC 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 (by plaintiff u/O VI Rule 17 r/w
Section 151 CPC for amendment of plaint)**

1. Pleadings qua the captioned IA already complete with
respect to defendants no.1, 2, 5 and 6.

2. As per office noting, notice of captioned IA was served
upon defendant no.4 through ordinary mode.

3. No reply to the captioned IA filed on behalf of defendant
no.3 and 4.



4. The defendants no.3 and 4 may file reply to the captioned IA within four weeks and rejoinder thereto be filed within two weeks thereafter.
5. Re-notify the captioned IA for completion of pleadings and further proceedings on **05th September, 2023**.

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

1. As per office noting, reply to the captioned IA filed on behalf of defendants no.1 and 2 vide dairy no.1817594 dated 17.12.2022 has come on record.
2. Reply to the captioned IA on behalf of defendants no.5 and 6 is on record.
3. No rejoinder to the reply of defendants no.1, 2, 5 and 6 has been filed on behalf of the plaintiff. Time sought. Let the same be filed within four weeks.
4. As per office noting, notice of captioned IA was served upon defendant no.4 through ordinary mode.
5. No reply to the captioned IA was filed on behalf of the defendants no.3 and 4.
6. The defendants no.3 and 4 may file reply to the captioned IA within four weeks and rejoinder thereto be filed within two weeks thereafter.
7. Re-notify the captioned IA for completion of pleadings and further proceedings on **05th September, 2023**.

CS(OS) 15/2021 & I.A.No.306/2021 (by plaintiff u/O XXXIX Rule 1 & 2 CPC)

1. Perusal of record would show that written statement and affidavit of admission/denial of documents already filed on behalf of defendants no.1 and 2.
2. No replication and affidavit of admission/denial has been filed on behalf of the plaintiff qua defendants no.1 and 2.



3. Perusal of order dated 03.11.2021, defendants no.5 and 6 already submitted that no relief has been sought against defendants no.5 and 6, therefore, the said defendants have not filed any written statement.
4. As per office noting, summons of the suit and notice of the captioned IA was served upon defendant no.4 through ordinary mode.
5. No written statement and affidavit of admission/denial of documents was filed on behalf of defendants no.3 and 4.
6. Office noting further shows that affidavit was filed on behalf of the defendant no.1 in compliance of order dated 08.01.2021.
7. Office noting further reveals that documents filed vide diary no. 404862 dated 04.03.2023 were returned under objection. Let appropriate steps be taken as per law.
8. Office noting also shows that affidavit of service was filed on behalf of the plaintiff on 06.03.2023.
9. An application for amendment of plaint is pending for consideration on behalf of the plaintiff.
10. Perusal of record would show that reply to the captioned IA already filed on behalf of the defendants no.1 and 2. No rejoinder to the said reply has been filed on behalf of the plaintiff.
11. No reply to captioned IA filed on behalf of defendants no.3 to 6.
12. Re-notify the present matter for completion of pleadings and further proceedings on **05th September, 2023**.

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

APRIL 24, 2023/v

[Click here to check corrigendum, if any](#)