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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ TEST.CAS. 65/2010, I.A.3139/2022, I.A.3140/2022, I.A.11818/2022
I.A.12164/2022, I.A.12210/2022
VINAY KHANNA

..... Petitioner

Through: Appearance not given.

versus

STATE & ORS

..... Respondent

Through: Ms. Pavitra Kaur and Ms. Sudeshna
Singh, Advocates for Respondent
No.1.
Ms. Abhisree Saiyanya and Mr.
Tanmay Yadav, Advocates for
Respondent No.2 and 4.
Mr. Sandeep P. Agarwal, Sr.
Advocate with Mr. Rajesh Pathak,
Advocate for Respondent No.3.

CORAM:
HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

03.08.2022

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1. Learned counsel for respondent No.3 has filed his objections.
2. Learned counsel for the petitioner submits that its copy of counter affidavit has been made available to him only yesterday on account of which he was not able to file the rejoinder.
3. Learned counsel for respondent No.2 and 4 submits that they had filed their objections way back in 2018 but they were lying in objections. An



opportunity may be given to bring the same on record.

4. Learned counsel for the petitioner has referred to Order dated 09th March, 2018 wherein this Court had given 15 days time to the respondents to file their objections. It is categorically observed that thereafter right to file the objections shall stand closed.

5. No further opportunity in view of the Order dated 09th March, 2018 can be given.

6. None is appearing on behalf of respondent No.5, 6 and 7, who are hereby provided ex-parte.

7. The Rejoinder, if any to the application under Order 39 Rule 1 and 2 CPC be filed within one week with copy to the opposite counsel.

8. An application under Order 26 Rule 9 CPC of respondent No.3 is pending for examination of the attesting witness since he is old and infirm.

9. It is submitted on behalf of learned counsel for the petitioner that the admission/ denial of documents is yet to be completed.

10. Be listed before the learned Joint Registrar on 16th August, 2022 for completion of pleadings and admission/denial of documents.

11. Be listed before this Court for framing of issues and for consideration of I.A. No.3139/2022 on 07th September, 2022.

NEENA BANSAL KRISHNA, J

AUGUST 3, 2022

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