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

+ CS(OS) 95/2022; I.A. 2757/2022 (O-XXXIX R-1 & 2 of CPC), I.A. 2758/2022 [u/s 80(2) CPC], I.A. 3125/2022 (O-XXXIX R-1 & 2 of CPC), I.A. 3591/2022 (O-XXXIX R-1 & 2 of CPC) and I.A. 6772/2022 (O-XXXIX R-1 & 2 of CPC)

DR. VIKRAM SAMPATH

.....Plaintiff

Through: Mr. Mukesh Sharma, Mr. Raghav Awasthi, Mr. Kunal Tiwari, Advs. (through VC).

versus

DR. AUDREY TRUSCHKE & ORS.

.....Defendant

Through: None for D-1.

Ms. Moksha, Proxy Counsel for Mr. Jawahar Raja, Advs. for D-2.

Mr. Prasanna S., Mr. Soutik Banerjee, Ms. Swati Arya, Mr. Yuvraj Singh Rathore, Ms. Devika Tulsiani & Ms. Mannat Tipris, Advs. for D-3.

Mr. Saransh Jain, Mr. Abhishek Kumar, Advs. for D-4 (through VC).

Mr. Madhav Bajaj, Proxy Counsel for Mr. Kirtiman Singh, CGSC for D-5/UOI.

Mr. Thejesh R. & Mr. Tejpal Singh Rathore, Advs. for D-6.

CORAM:

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

ORDER

17.11.2022

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I.A. 16448/2022 (of the defendant no.3 u/O-XXXIX R-4 of CPC);

I.A. 16449/2022 (of the defendant no.3 u/O-VII R-11 of CPC) &

I.A. 16450/2022 (of the defendant no.3 u/O-VII R-10 of CPC)

1. It is submitted that the captioned IAs are coming up for hearing before the Hon'ble Court 30.01.2023.

CS(OS) 95/2022

1. As per office noting, reply to IA No.2757/2022 was filed on behalf of the plaintiff.
2. Office noting further reveals that IAs filed on behalf of the defendant vide diary no.1683535 and 1683314 both dated 10.10.2022 were returned under objection. Let needful in this regard be done.
3. Office noting further reveals that documents filed on behalf of the defendant vide diary no.1693075 dated 11.10.2022.
4. Ld. Counsels for defendants no.2, 3 and 4 submit that on last date of hearing, last opportunity was given to the plaintiff for filing affidavit of admission/denial, but the same has not been filed till date. They further submit that right of the plaintiff to file affidavit of admission/denial may be closed.
5. Heard. Perusal of record would show that vide order dated 11.10.2022, two weeks time was given to plaintiff as last opportunity for filing affidavit of admission/denial, but the same has not been filed till date. In present facts, right of the plaintiff to file affidavit of admission/denial qua defendants no.2, 3 and 4 stands closed. Non-filing of



affidavit of admission/denial of documents shall follow the consequences as per law.

6. No written statement has been filed on behalf of the defendant no.6.
7. The defendant no.6 may file written statement and affidavit of admission/denial of documents as per law with advance copy to the opposite party, who may file replication and affidavit of admission/denial thereafter as per law.
8. Let the pleadings be completed as per law.
9. Re-notify the matter for completion of pleadings and further proceedings on **15th February, 2023.**

DEVENDER KUMAR GARG (DHJS)
JOINT REGISTRAR (JUDICIAL)

NOVEMBER 17, 2022/v

Click here to check corrigendum, if any