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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CS(OS) 134/2022

SEEMA KHANNA

.....Plaintiff

Through: Mr. Pawan Mathur, Adv.

versus

UNION BANK OF INDIA & ORS.

.....Defendant

Through: Mr. Arun Kumar Shukla & Mr.
Aamir Shaikh, Advs. for D-1 & 2
with Mr. Priyank Aggarwal, Asstt.
Manager of Union Bank of India,
Kailash Colony Branch.

Mr. Abhay Mani Tripathi & Mr.
Hemant Gulati, Adv. for D-3 & 4.

CORAM:

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

ORDER
09.05.2023

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**I.A. No. 7465/2023 (by plaintiff u/S 151 of CPC seeking
directions against defendant no.3)**

1. As per office noting, notice to the captioned IA issued to the defendant no.3 through counsel.
2. No reply to the captioned IA filed on behalf of defendant no.3.
3. Ld. Counsel for defendant no.3 has submitted that he will ensure that written statement of defendant no.3 is taken on record within 10 days from today.
4. Ld. Counsel for plaintiff has submitted that he has no objection if the captioned IA is disposed off in view of above submissions of Ld. Counsel for defendant no.3.



5. Heard. In view of above submissions, the application is disposed off accordingly.
6. The captioned IA stands disposed off accordingly.

I.A. No. 3930/2023 (by defendants no.1 and 2 u/S 151 CPC for exemption from filing true typed copy of DIM Annexures)

1. No reply to the captioned IA was filed on behalf of the plaintiff.
2. Ld. Counsel for plaintiff submits that he does not wish to file any reply to the captioned IA and he has no objection if the same is allowed.
3. Ld. Counsel for defendants no.1 and 2 has submitted that he does not wish to press the captioned IA as he has already filed better copies of Annexures and the same are on record.
4. Heard. In view of above submissions, the captioned IA stands disposed off as not pressed.

I.A. No. 8855/2022 (by defendants no.1 and 2 u/O VII Rule 11 of CPC)

1. As per office noting for 28.02.2023, reply to captioned IA was filed on behalf of the plaintiff on 09.02.2023.
2. No rejoinder to the above said reply was filed on behalf of the defendants no.1 and 2. Time sought. Let the same be filed within two weeks.
3. Re-notify the captioned IA for completion of pleadings and further proceedings on 18th July, 2023.

I.A. No. 3729/2022 (by plaintiff u/O XXXIX Rules 1 & 2 of CPC)

1. Perusal of record would show that reply to the captioned IA was already filed on behalf of defendants no.1 and 2.



2. No rejoinder to the said reply of defendants no.1 and 2 has been filed on behalf of the plaintiff. Time sought. Let the same be filed within two weeks.
3. No reply to the captioned IA filed on behalf of defendants no.3 and 4.
4. The defendants no.3 and 4 may file reply, if any, to the captioned IA within two weeks as last opportunity and rejoinder thereto be filed within two weeks thereafter.
5. Re-notify the captioned IA for completion of pleadings and further proceedings on **18th July, 2023**.

I.A. No. 7141/2022 (u/O I Rule 10 of CPC by defendant no.4)

1. Reply to the captioned IA not filed on behalf of plaintiff. Time sought.
2. The plaintiff may file reply to the captioned IA within two weeks as last opportunity and rejoinder thereto be filed within two weeks thereafter.
3. Re-notify the captioned IA for completion of pleadings and further proceedings on **18th July, 2023**.

I.A. No. 7636/2022 (moved by plaintiff u/S 151 of CPC seeking directions against defendant no.3)

1. Reply to the captioned IA already filed on behalf of the defendant no.3. No rejoinder to the said reply was filed on behalf of the plaintiff. Time sought.
2. The plaintiff may file rejoinder to the reply filed by defendant no.3 within two weeks as last opportunity.
3. Re-notify the captioned IA for completion of pleadings and further proceedings on **18th July, 2023**.

CS(OS) 134/2022

1. As per office noting for 07.02.2023, written statement



and affidavit of admission/denial of documents were filed on behalf of defendants no.1 and 2 vide diary no.810954 dated 08.12.2022 and 1186283 dated 04.02.2023. The written statement filed by the defendants no.1 and 2 was taken on record vide order dated 28.02.2023 passed while disposing of IA No.3931/2023.

2. Written statement filed on behalf of the defendant no.3 has not come on record till date. Ld. Counsel for defendant no.3 has submitted that he will ensure that written statement of defendant no.3 is taken on record within 10 days from today.
3. Affidavit of admission/denial of documents filed on behalf of the defendant no.3 is already on record.
4. Written statement alongwith affidavit of admission/denial already filed on behalf of defendant no.4.
5. No replication and affidavit of admission/denial filed on behalf of plaintiff qua defendants no.1 and 2.
6. Replication alongwith affidavit of admission/denial of documents already filed by plaintiff qua defendant no.3.
7. Replication to the written statement of defendant no.4 already filed on behalf of plaintiff.
8. Ld. Counsel for plaintiff already submitted that since no document was filed on behalf of the defendant no.4, no affidavit of admission/denial of documents has been filed qua defendant no.4.
9. As per office noting for 4.11.2022, affidavit of admission/denial of documents filed vide diary no.1126147 dated 11.07.2022 was returned under objection. Let appropriate steps be taken as per law.
10. The said office noting further reveals that documents



filed vide diary no.1843014 dated 2.11.2022 was returned under objection. Ld. Counsel for defendants no.1 and 2 has submitted that vide the above said diary no., documents were filed in compliance of order dated 13.09.2022 passed by the Hon'ble Court, however, Registry has kept the same under objection. Registry to do the needful in terms of order dated 13.09.2022 passed by the Hon'ble Court.

11. As per office noting for 07.02.2023, documents with list of documents were filed on behalf of defendants no.1 & 2 vide diary no.187624 dated 04.02.2023.
12. As per office noting for 20.04.2023, vakalatnama was filed on behalf of defendants no.1 and 2 on 15.03.2023.
13. Mr. Aamir Sheikh, Ld. Counsel for defendants no.1 and 2 is present with Mr. Priyank Aggarwal, Asstt. Manager from Union Bank of India, Kailash Colony Branch, New Delhi and they have submitted that they have brought original FDRs in compliance of order dated 13.09.2022 passed by the Hon'ble Court and they have produced original seven FDRs i.e. FDR No.355703031195601, FDR No.355703031199226, FDR No.355703031198724, FDR No.355703031198684, FDR No.355703031199310, FDR No.355703031199312, FDR No.355703031199313, wherein Smt. Saroj Khanna is being made a nominee, alongwith account opening forms except account opening form of FDR No. 355703031195601. The same have been inspected by Ld. Counsel for plaintiff before the undersigned.
14. Ld. Counsel for defendants no.1 and 2 has submitted that he will file the copy of account opening form of FDR no.



355703031195601, if the same is available in the Bank, within two weeks from today with advance copy to the opposite party. Let the needful be done.

15. Let the pleadings be completed as per law.

16. Re-notify the present matter for completion of pleadings and further proceedings on **18th July, 2023**.

DEVENDER KUMAR GARG (DHJS)
JOINT REGISTRAR (JUDICIAL)

MAY 09, 2023/v

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