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IN THE HIGH COURT OF DELHI AT NEW DELHI

CS(OS) 117/2021

LEENA IMRAN & ANR.

.....Plaintiffs

Through: Mr. M. Tarique Siddiqui, Mr.
Abhishek K. Tanwar, Mohd.
Bilal, Mr. Fajallu Rehman & Ms.
Lakshmi, Advs.

versus

DEEBA IKRAM @ DEEBA KHAN & ORS.

.....Defendants

Through: Mr. Ashwini Kumar & Mr.
Arbaaz Khan, Advs. for D-1
Mr. Arun K. Sharma, Adv. for
D-4

CORAM:

**JOINT REGISTRAR (JUDICIAL) MS. PRIYA
MAHENDRA, (DHJS)**

ORDER

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20.05.2025

**I.A. 4522/2025 (moved by defendant no.1- reinstate the
right of defendant no.1 to file the Affidavit of
Admission/Denial of the documents)**

1. As per office note, reply to the captioned IA filed by the plaintiff is on record. However, vide order dated 24.03.2025, the learned counsel for the plaintiff has made a statement that he wants to argue the captioned IA directly.
2. Further, the plaintiff has not filed proof of cost of Rs.3000/- as imposed vide order dated 24.03.2025. At this stage, it is stated by learned counsel for the plaintiff that the said cost of Rs.3000/- was imposed due to mis-statement made by his associate on the last date of hearing i.e. 24.03.2023. At his request, the cost of Rs.3000/- is reduced to Rs.1000/- to be deposited with Delhi High Court Legal Services Committee by the plaintiff within two weeks and file proof of cost with the registry.
3. At the request of the plaintiff, the reply filed by him



is taken on record. It is stated by the applicant that he does not wish to file any rejoinder to the same.

4. Heard. It is stated by learned counsel for the defendant no.1 that prior to the amendment in the plaint was sought by the plaintiff, the defendant no.1 has filed Written Statement alongwith Affidavit of Admission/Denial of the documents, which was observed vide order dated 12.09.2022. He submits that the said Affidavit of Admission/Denial of the documents may be considered by this court. Learned counsel for plaintiff submits that he has no objection to the captioned IA. Accordingly, the captioned IA stands allowed and Affidavit of Admission/Denial filed by defendant no.1 and taken on record vide order dated 12.09.2022 is reinstated. Accordingly, the captioned IA stands disposed of.

CS(OS) 117/2021

4. Vide order dated 19.09.2024, Amended Written Statement filed by the defendant no.1 was taken on record.

5. Affidavit of Admission/Denial qua documents of the plaintiff filed by defendant no.1 is allowed to be taken on record vide order of even date. However, on perusal of the same, it is found that the said Affidavit of Admission/Denial filed by defendant no.1 is not in the proper format. So, the defendant no.1 is directed to file revised Affidavit of Admission/Denial of the documents strictly in the proper format as per law within three weeks with copy to the opposite side.

6. As per record, Replication to the Written Statement of defendant no.1 to the amended plaint filed by the plaintiffs is already on record.



7. As per office note, Revised Affidavit of Admission/Denial of the documents filed by the plaintiffs qua document of defendant no.1 is on record. However, the same is again not as per provisions of Rule 4 of Order XI of the code, as applicable in the Commercial Courts Act. In the interest of justice, no adverse order is being passed today and the last and final opportunity is granted to the plaintiff to file revised Affidavit of Admission/Denial of the documents strictly as per commercial courts Act within four weeks with copy to the opposite side, failing which the plaintiff will deposit cost of Rs.3000/- with Delhi High Court Legal Services Committee.

8. Vide order dated 19.01.2023, the defendant no.2 has been deleted.

9. As per record, amended Written Statement filed by defendant no.3 is on record.

10. The right of the plaintiff to file Replication alongwith Affidavit of Admission/Denial of the documents to the Written Statement filed by defendant no.3 has already been ordered to be closed vide order dated 14.01.2025.

11. As per record, amended Written Statement filed by defendant no.4 is already on record. The defendant no.4 has also filed some documents in the present matter.

12. As per office note, Revised Affidavit of Admission/Denial of the documents filed by defendant no.4 is on record.

13. Vide order dated 24.03.2025, the right of the plaintiff to file Replication and Affidavit of Admission/Denial of the documents qua defendant no.4



was ordered to be close

14. The plaintiff is directed to share draft of Joint Schedule of the documents with learned counsel for the defendants within six weeks. Learned respective counsel for the defendants are directed either to provide their inputs, if any, to the draft of Joint Schedule of the documents or to provide the signed copy of Joint Schedule to learned counsel for the plaintiff within two weeks thereafter. The plaintiff is directed to file soft copy as well as physical copy of Joint Schedule of the documents within two weeks thereafter with copy to the opposite side.

15. The parties are directed to file hard copy of the documents of which e-copy already filed on record within six weeks, failing which the defaulting party will deposit cost of Rs.2000/- with Delhi High Court Legal Services Committee.

Re-notify the matter for marking of exhibits to the documents on 10.09.2025.

PRIYA MAHENDRA (DHJS)
JOINT REGISTRAR (JUDICIAL)

MAY 20, 2025/ab

Click here to check corrigendum, if any