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

+ **CS(OS) 117/2021 & I.A.10440/2025**

LEENA IMRAN & ANR.

.....Plaintiffs

Through: **Mr. Abhishek K. Tanwar, Advocate.**

versus

DEEBA IKRAM @ DEEBA KHAN & ORS.Defendants

Through: **Mr. Shreshth Jain, Advocate for D3.**
Mr. Amiet Andlay, Advocate for D4.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

% 21.08.2025

O.A.75/2025

1. The appellant in the instant O.A. has challenged the order dated 24.03.2025, wherein the right to file the replication has been closed by the learned Joint Registrar.
2. Learned counsel who appears for the appellant contends that, *vide* order dated 14.01.2025, the concerned Joint Registrar had wrongly taken on record the written statement filed by the defendant.
3. According to him, as per Chapter VII Rule 3 of the Delhi High Court (Original Side) Rules, 2018, in the absence of Admission/Denial and/or the same being filed within the maximum period of 120 days, the Written Statement not ought to have been taken on record.
4. He, therefore, submits that when the written statement was not in conformity with the extant rules, and the order permitting the taking on



record the written statement is against the applicable rules.

5. I have considered the submissions made by learned counsel appearing for the appellant and have perused the record. Paragraph no.10 of order dated 24.03.2025 is extracted as under:-

*“10. Vide order dated 14.01.2025, the plaintiff was directed to file Replication alongwith Affidavit of Admission/Denial of the documents qua defendant no.4 on receipt of revised Affidavit of Admission/Denial of the documents filed by the defendant no.4. Proof of service is also filed by defendant no.4 alongwith Revised Affidavit of Admission/Denial of the documents which shows that Revised Affidavit of Admission/Denial of the documents filed by defendant no.4 has been duly served upon the plaintiff on 17.01.2025 through email. However, till date, the plaintiff has not filed any Replication and Affidavit of Admission/Denial of the documents to the same. So, in view of judgement rendered in **“Ram Swarup Lugani & Anr. Vs. Nirmal Lugani & Ors.”**, 2020 SCC OnLine Del 1353, the right of the plaintiff to file Replication and Affidavit of Admission/Denial of the documents qua defendant no.4 is ordered to be closed. Accordingly, documents of defendant no.4 shall be deemed to be admitted by the plaintiff.”*

6. Upon a perusal of the findings rendered by the Joint Registrar, it would appear that the proof of service was filed by the defendant no.4, along with revised affidavit of admission and denial of the document, which reflected that the revised affidavit of admission and denial of the document was filed by the defendant no.4, and duly served upon the plaintiff on 17.01.2025.

7. It is also to be noted that under these circumstances, since the plaintiff did not file the replication and corresponding affidavit of admission and denial, within the time prescribed in law, and therefore, the right to file replication has been forfeited.

8. If the appellant/plaintiff had any grievance in respect to the order dated 14.01.2025, the same ought to have been challenged in accordance



with law. Having not done so, the Court does not find any infirmity in the order dated 24.03.2025, and accordingly, the instant O.A. stands dismissed. The underlined grievance of the appellant lies against the order dated 14.01.2025, and not in order dated 24.03.2025.

9. List before the Joint Registrar on the date already fixed, i.e., 10.09.2025.

10. Thereafter, list before the Court on the date to be assigned by the Joint Registrar.

PURUSHAINDR KUMAR KAURAV, J

AUGUST 21, 2025

tr/sp