



\$~33

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

+ **TEST.CAS. 20/2023**

DR ASHOK KUMAR GUPTAPetitioner

Through: Ms. Shambhavi Kala, Advocate

versus

THE STATE & ORS.Respondents

Through: Mr. Shashank Khurana, Advocates
for R-3.

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

% **21.08.2024**

**IA No. 36939/2024 (Application under Section 151 CPC on behalf of
Petitioner seeking closure of Right of Respondent no. 2 file objections)**

1. This is an application filed by the petitioner for closure of the rights of respondent no.2 to file their reply/objections to this petition.
2. Learned counsel for the petitioner states that though the counsel for the respondent no.2 entered appearance on 26.05.2023, respondent no.2 has thereafter failed to file the objections. In this regard, she has referred to orders dated 24.07.2023, 16.08.2023, 06.05.2024 and 11.07.2024. She states that though the notice in the present proceedings was issued on 05.04.2023, the respondent No.2 has failed to file objections despite passage of more than 16 months.
3. She states that in view thereof, the present application be allowed and right of the respondent no.2 to file objections be closed. She states that an advance copy of the application has been served upon the counsel for the

TEST.CAS. 20/2023

Page 1 of 2



respondent No.2.

4. None appears on behalf of the respondent no.2.

5. The submissions of the learned counsel for the petitioner are duly borne out from the record. In view of the multiple opportunities granted to the respondent no. 2 w.e.f. 05.04.2023, 24.07.2023, 16.08.2023 and 06.05.2024 and 11.07.2024, this Court is satisfied that the non-filing of the objections by respondent No.2 is willful and with an intent to protract the proceedings. Accordingly, the right of respondent no.2 to file reply/objections to this petition hereby stands closed.

6. The application stands disposed of.

TEST.CAS. 20/2023

List before Court on date fixed, i.e., 18.09.2024.

MANMEET PRITAM SINGH ARORA, J

AUGUST 21, 2024/SV/AKT

Click here to check corrigendum, if any