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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(OS) 284/2022**
SURESH CHANDER GANDHI & ORS.

.....Plaintiff

Through: Ms. Rishika Arora, Adv. (E-mail ID:
rishika.arora@hotmail.com)

versus

CHAND MALHOTRA & ORS.

.....Defendant

Through: Mr. Manish Kumar Srivastava & Mr.
Akhil Hasija, Advs. for D-1 & 2
(E-mail: manish25@gmail.com).
Mr. Rajesh Kumar Luthra, Adv. for
D-3 to 6 and 8 to 10 (E-mail ID:
raj_sanchi@yahoo.co.in)
Mr. Rajesh Ranjan, Mr. Attin Shankar
Rastogi & Mr. Aman Kapoor, Advs.
for D-11 (Mob. No. 9811778900 &
E-mail: office@ilolegal.com).
D-7 in person (Mob. No.9810267125)
(through VC).

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

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ORDER
11.10.2022

CS(OS) 284/2022 & I.A. No. 7821/2022 (u/O XXXIX Rules 1 & 2 of CPC).

1. It is submitted that main matter and the captioned IA are coming up for hearing before the Hon'ble Court on 19.10.2022.



2. Ld. Counsel for defendants no.1 and 2 submits that he has not received complete paper book.
3. Ld. Counsel for plaintiff has submitted that copy of complete paper book was already sent with the summons. However, without going into any controversy, she will again supply the same to Ld. Counsel for defendants no.1 and 2 within two days from today.
4. It is stated by defendant no.7 that he has not been supplied with complete copy of paper book and he has further submitted that he has come to know that there are certain modifications in the plaint filed before the court. He has further submitted that copy of perpetual lease deed is not legible.
5. Ld. Counsel for plaintiff has submitted that since the defendant no.7 is appearing through VC, therefore, she is unable to know about which document, the defendant no.7 is talking about. She has further submitted that she will supply fresh copy of paper book to the defendant no.7, in case, he appears physically.
6. The defendant no.7 submits that he will appear physically today at 02.30 p.m. to verify the copy supplied to him and to collect fresh copy from the plaintiff. Let counsel for plaintiff and defendant no.7 appear today at 02.30 p.m. Ld. Counsel for plaintiff has submitted that she is not well and her clerk will appear today at 02.30 p.m. and will provide fresh copy of paper book to defendant no.7.
7. It is also stated by Ld. Counsel for defendants no.3 to 6 and 8 to 10 and by Ld. Counsel for defendant no.11 that legible copy of



perpetual lease deed has not been supplied by the plaintiff in terms of the previous order.

8. Ld. Counsel for plaintiff has submitted that she is also having the similar copy which has been supplied to the defendants. She has further submitted that she will supply typed copy of the perpetual lease deed to all the defendants before next date of hearing. Let the same be supplied accordingly.
9. The defendants shall file their written statement, reply to the captioned IA and affidavit of admission/denial of documents thereafter as per law with advance copy to the plaintiff, who may file replication, rejoinder and affidavit of admission/denial of documents as per law.
10. Put up at 02:30 p.m.

DEVENDER KUMAR GARG (DHJS)
JOINT REGISTRAR (JUDICIAL)

OCTOBER 11, 2022/v

Click here to check corrigendum, if any

At 02:30 p.m.

Present: Clerk for counsel for plaintiff.
Defendant no.7 in person.

11. Defendant no.7 has appeared physically in the court.
12. Clerk for counsel for plaintiff is also present and has submitted that he has brought copy of plaint and documents consisting of 72 pages, to be supplied to the defendant no.7.



13. Defendant no.7 has produced some documents (total 56 pages) stating that he had received soft copy of the said documents through WhatsApp on 26.09.2022. He has further submitted that there are some difference in the documents supplied to him and the documents today offered by clerk for counsel for plaintiff.
14. Perusal of the copy so produced by clerk for plaintiff would show that certain handwritten modifications/corrections/additions are mentioned in the plaint and copy of perpetual lease deed is not legible. The plaintiff was required to supply the copy of plaint and documents which was filed in judicial record and the same does not appear to have been supplied to defendant no.7. The said copy produced on behalf of the defendant no.7 is taken on record.
15. At this stage, clerk for counsel for plaintiff has submitted that he is supplying copies of complete paper book consisting of 72 pages to the defendant no.7 today. He has further submitted that typed copy of the perpetual lease deed will be supplied to the defendant no.7 also before next date of hearing. The defendant no.7 has received copy of paper book consisting of 72 pages from clerk for counsel for plaintiff today before the undersigned.
16. The defendant no.7 may file written statement, reply to interim application and affidavit of admission/denial as per law with advance copy to the plaintiff, who may file replication, rejoinder and affidavit of admission/denial of documents as per law.
17. It is submitted that the matter and captioned IA are coming up for hearing before the Hon'ble Court on 19.10.2022.



18. Let the matter be placed before the Hon'ble Court for further directions on date already fixed i.e. **19th October, 2022.**

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

OCTOBER 11, 2022/v

Click here to check corrigendum, if any