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

+ **CS(OS) 284/2022**

SURESH CHANDER GANDHI & ORS.

.....Plaintiff

Through: Mr. Vinayak Marwah, Adv. for
Ms. Rishika Arora, Adv. (through
VC).

versus

CHAND MALHOTRA & ORS.

.....Defendant

Through: Mr. Hardik Vashisht, Ms. Shiksha
Jha & Mr. Moksh Arora, Advs. for
D-1.

Mr. Kapil Gupta with Mr. Ravi
Kumar, Advs. for D-2.

Mr. Rajesh Kumar Luthra, Adv.
for D-3 to 6 and 8 to 10 (through
VC).

Mr. Lalit Gandhi, D-7 in person.

Mr. Attin Shankar Rastogi & Mr.
Aman Kapoor, Advs. for D-11.

CORAM:

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

ORDER

22.02.2024

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Proceedings are being conducted through hybrid mode.

I.A. No. 15754/2023 (by plaintiff u/O VI Rule 17 CPC)

1. As per office noting, notice of the captioned IA was served upon defendants no.2 to 6 and 8 to 11 have been served through their respective counsels.
2. Ld. Counsel for defendants no.3 to 6 & 8 to 10 and Ld. Counsel for defendant no.1 already submitted that they



did not wish to file any reply to the captioned IA and they have no objection if the same is allowed.

3. As per office noting, reply to the captioned IA has been filed on behalf of defendant no.11. No rejoinder to the said reply has been filed by the plaintiff. Time sought. Let same be filed within four weeks.
4. Ld. Counsel for defendant no.2 submits that he does not wish to file any reply to the captioned IA and has no objection if the same is allowed.
5. The defendant no.7 has submitted that he has received copy of the application 2-3 days back and seeks time to file reply to the same. Let the same be filed within four weeks as last opportunity and rejoinder thereto be filed within two weeks thereafter.

I.A. No. 6669/2023 (by defendant no.2 for condonation of delay of 153 days in filing written statement)

6. No reply to the captioned IA has been filed on behalf of the plaintiffs. Time sought. Let the same be filed within four weeks and rejoinder thereto be filed within two weeks thereafter.

I.A. No. 7821/2022 (by plaintiff u/O XXXIX Rules 1 & 2 of CPC).

7. Reply to the captioned IA was already filed on behalf of defendant no.7. No rejoinder to the said reply has been filed by the plaintiff. Time sought. Let the same be filed within four weeks.
8. No reply to the captioned IA has been filed on behalf of remaining defendants despite last opportunity. Hence, right of remaining defendants to file reply to captioned IA stands closed.



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9. Perusal of record shows that separate written statements and affidavits of admission/denial of documents were already filed on behalf of the defendant no.1, defendants no.3 to 6 & 8 to 10, defendant no.7 and defendant no.11.
10. Written statement and affidavit of admission/denial of documents were also filed on behalf of the defendant no.2. However, application seeking condonation of delay in filing written statement on behalf of defendant no.2 is pending for consideration.
11. No replication and affidavit of admission/denial has been filed on behalf of plaintiff qua any of the defendants.
12. It is already submitted that defendant no.2 to 10 have not filed any documents in the present matter and hence, affidavit of admission/denial of documents qua the said defendants is not required to be filed by the plaintiff.
13. Documents stated to be filed on behalf of defendant no.11 vide diary no.1870729/2022 dated 28.01.2023 have not come on record till date. Let needful in this regard be done.
14. Memo of parties filed vide diary no.13407 dated 5.1.2023 has also not come on record till date. Let needful in this regard be done as per law.
15. Let the pleadings be completed as per law.
16. An application u/O VI Rule 17 of CPC is pending for consideration on behalf of the plaintiff.
17. At request of defendant no.7 as well as Ld. Counsel for defendant no.11, the above said defendants are directed to exchange copies of their pleadings with each other within one week.



18.Re-notify the matter for completion of pleadings and further proceedings on **21st August, 2024.**

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

FEBRUARY 22, 2024/v

Click here to check corrigendum, if any