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

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

SURESH CHANDER GANDHI & ORS. Plaintiffs

Through: Ms. Rishika Arora, Adv.
(through VC).

versus

CHAND MALHOTRA & ORS. Defendants

Through: Mr. Hardik Vashisht &
Mr. Moksh Arora, Adv.
for D-1.
Mr. Santosh Ramdurg,
Adv. for D-2.
Mr. Rajesh Kumar Luthra,
Adv. for D-3 to 6 and 8 to
10 (through VC).
Mr. R. K. Saxena, Adv. for
D-7 Lalit Gandhi, in
person.
Mr. Attin Shankar Rastogi
and Mr. Archit Chauhan,
Adv. for D-11.

CORAM:

**JOINT REGISTRAR (JUDICIAL) MS. SHUCHI
LALER (DHJS)**

ORDER

21.08.2024

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**Case file received from the court of Sh. Devender
Kumar Garg, learned Joint Registrar (Judicial) by way
of transfer in terms of office order signed by learned
Registrar (Original) on 28.06.2024.**

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

1. Reply has been filed by defendant no.11 only.
Learned counsels for defendant nos. 1, 2, 3 to 6 and 8 to 10
have already submitted that they have no objection if the
captioned IA is allowed.



2. Learned counsel for defendant no.7 submits that he has no objection, if the captioned IA is allowed. Learned counsel for plaintiff submits that she has filed rejoinder to reply of defendant no.11 vide diary no.3083983/2024 dated 16.08.2024. Same is not on record. She shall check it up with the registry and get the same placed on record.

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

3. No reply has been filed. Learned counsel for plaintiff submits that she has filed the reply vide diary no.3083843/2024 dated 16.08.2024. Same is not on record. She shall check it up with the registry and get the same placed on record.

4. Learned counsel for defendant no.2 submits that he has not received the copy of reply. Same be supplied today itself against acknowledgment. Rejoinder be filed within a week.

5. List for arguments on the next date.

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

6. Reply has been filed by defendant no.7 only. Learned counsel for plaintiff submits that she has filed the rejoinder vide diary no. 3151403/2024 dated 20.08.2024. Learned counsel for defendant no.7 submits that he has not received the copy of rejoinder. Same be supplied today itself against acknowledgment. The right of remaining defendants to file reply was closed on 22.02.2024.

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7. Separate written statements of defendant nos.1, .3 to 6, 7, 8 to 10 and 11 are on record. Written statement has



been filed by defendant no.2, however an application for condonation of delay is pending. Learned counsel for defendant nos. 3 to 6 and 8 to 10 submits that he has filed an application for amendment of written statement vide diary no3096043/2024 dated 17.08.2024. Same is not on record. He shall check it up with the registry and get the same placed on record.

8. Learned counsel for defendant no.11 submits that on the last date (22.02.2024), it was recorded that documents have been filed by defendant no.11, however, defendant no.11 has not filed any document and the same are filed by defendant no.7.

9. Learned counsel for defendant no.7 submits that he has not filed any document. Registry shall clarify as to who has filed the documents vide diary no. 1870729/2022 dated 28.01.2023.

10. Learned counsel for defendant no.11 submits that he has filed original Will dated 27.11.2021. Same is not on record. He is directed to check it up with the registry and get the same placed on record.

11. Re-notify the matter for completion of pleadings on 03.12.2024.

**SHUCHI LALER (DHJS),
JOINT REGISTRAR (JUDICIAL)
AUGUST 21, 2024/cd**

[Click here to check corrigendum, if any](#)