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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **TEST.CAS. 40/2023**
URMIL VASHIST

.....Plaintiff

Through: Ms. Chandrika Gupta, Adv. for
Mr. Rajat Aneja, Adv.

versus

THE STATE & ORS.

.....Defendant

Through: None for R-1.

Ms. Beenashaw Soni, ASC & Ms.
Ann Joseph, Advs. for R-2/DDA.

Mr. Amit Kumar Arichwal, AR for
R-3.

Mr. Gurtejpal Singh, Mr. Gaurang
Khanna, Advs. for R-5.

Mr. Amit Goel & Mr. Prabhat
Kumar, Advs. for R-4 (Mob. No.
9810122373 & 9716141237 and
email ID: rkabcl@yahoo.co.in)
(through VC).

None for R-6.

None for R-7 despite service.

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

ORDER

24.01.2024

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Proceedings are being conducted through hybrid mode.

TEST.CAS. 40/2023 &

**I.A. No. 10146/2023 (by petitioner u/O XXXIX Rules 1 &
2 r/w Section 151 of CPC)**

1. Citations are already on record.



2. As per office noting, notice sent to SDM, Janak Puri has been served, however, valuation report of property stated in Schedule-B has not been filed till date.
3. At request, issue notice to the concerned SDM for filing valuation report with respect to the property mentioned in Schedule-B for next date of hearing.
4. There is no appearance on behalf of respondent no.1.
5. Issue court notice to respondent no.1 through Standing Counsel, without PF, for next date of hearing.
6. Valuation reports with respect to properties mentioned in Schedule-C to G have not been filed by the petitioner in terms of order dated 25.05.2023. Some more time has been sought. Let the same be filed before next date of hearing.
7. As per office noting, vakalatnama filed by the respondent no.2 vide diary no.1570565/2023 was returned under objection. Let needful in this regard be done.
8. Office noting shows that short affidavit has been filed on behalf of respondent no.4 vide diary no.1964813/2023 and he has also filed vakalatnama vide diary no.1867952/2023.
9. Ld. Counsel for petitioner submits that she has not received copy of the short affidavit filed on behalf of the respondent no.4. Let the same be supplied within one week.
10. Objections and affidavit of admission/denial have not been filed by respondents no.2, 3, 5 and 6 despite last opportunity.
11. AR for respondent no.3 has submitted that the matter has been settled with petitioner on 29.11.2023 and they will



take appropriate steps. Let appropriate steps be taken as per law.

- 12.Ld. Counsel for respondent no.2 submits that she has filed objections yesterday only. However, the same are not on record. Let appropriate steps be taken as per law.
- 13.Some more time has been sought on behalf of respondent no.5 for filing objections. Not opposed. In the interest of justice, one more opportunity is granted to respondent no.5 to file objections and affidavit of admission/denial within four weeks with advance copy to opposite party, who may file reply thereto and affidavit of admission/denial of documents within four weeks thereafter.
- 14.Perusal of record shows that sufficient opportunities have been granted to respondent no.6 for filing objections and affidavit of admission/denial of documents, but the same has not been filed till date. There is no appearance on behalf of respondent no.6. In the present facts, right of the respondent no.6 for filing objections and affidavit of admission/denial of documents stands closed.
- 15.No reply to the captioned IA has been filed on behalf of respondents no.2 to 6 despite last opportunity.
- 16.As per office noting, service report of notice of petition issued to the respondent no.7 through ordinary mode is awaited.
- 17.Office noting further shows that notice sent to respondent no.7 through speed post has been served as AD has been received back. Same has been perused. The defendant no.7 stands served.
- 18.The respondent no.7 may file objections and affidavit of admission/denial of documents within four weeks with



advance copy to the petitioner, who may file reply to the objections alongwith affidavit of admission/denial of documents within four weeks thereafter.

19.Re-notify the matter for completion of pleadings and further proceedings on **27th May, 2024.**

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

JANUARY 24, 2024/v

Click here to check corrigendum, if any