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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(OS) 328/2022**
DIWAN SAHEB FASHION PVT LTD

..... Plaintiff

Through: Mr. Jai Sahai Endlaw & Mr.
Ashutosh Rana, Advs. (Mobile
No.7838463577 & e-mail ID
ashutosh@jsechambers.com)

versus

VIJAY BHUSHAN & ORS.

..... Defendant

Through: Mr. Sarthak Chiller & Mr. Sanjeev
Mahajan, Advs. for D-1 to 9 (Mobile
No.9811212045)
Mr. Sunil Mehta, Adv. for D-10
(Mobile No.9810150483)

CORAM:
JOINT REGISTRAR (JUDICIAL) MS. SHUCHI LALER,
(DHJS)

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ORDER
12.09.2022

1. It is submitted that the matter is coming up before the Hon'ble
Court on 20/09/2022.

I.A.No.8914/2022 (under Order XXXIX Rule 1 & 2 CPC) &

I.A.No.8915/2022 (under Section 151 CPC filed by the plaintiff)

2. No reply to the captioned IAs have been filed.



3. Pleadings be completed as per law.

I.A.No.10610/2022 (under Order XXXII Rule 3 CPC filed on behalf of defendant no.9 for appointment of Guardian of defendant no.9)

4. Learned counsel for defendant no.1 to 9 had already submitted that he does not wish to file reply to the captioned IA and he has no objection, if defendant no.7 is appointed as guardian-ad-litem for defendant no.9.

5. The captioned IA is listed for consideration before the Hon'ble Court on 20/09/2022.

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6. Written statement along with documents and affidavit of admission/denial of defendant no.1, 2 & 5 to 9 is on record. Affidavit of defendant no.3 & 4 adopting the written statement of defendant no.1, 2 & 5 to 9 is on record. Written statement has not been filed by defendant no.10.

7. Learned counsel for defendant no.10 submits that he has filed the written statement vide diary no.1531339 dated 09/09/2022 along with an application for condonation of delay. The same is not on record. Learned counsel for defendant no.10 is requested to check it up with the Registry and have the same placed on record. Learned counsel for plaintiff and learned counsel for defendant no.1, 2 & 5 to 9 submit that they have not received the copy of written statement and the application for condonation of delay. Learned counsel for defendant no.10 undertakes to supply the same to the opposite parties within two days by e-mail.

8. Replication to written statement of defendant no.1 to 9 along with



affidavit of admission/denial of documents filed by the plaintiff. List of documents along with documents and certificate under Section 65B of Indian Evidence Act filed by the plaintiff. Copy of written statement of defendant no.1, 2 & 5 to 9 and replication undertaken to be supplied to learned counsel for defendant no.10 today itself.

9. Re-notify the matter for completion of pleadings and admission/denial of documents on **16th September, 2022.**

SHUCHI LALER, (DHJS)
JOINT REGISTRAR (JUDICIAL)

SEPTEMBER 12, 2022/nk

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