



\$~4

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

+ **CS(OS) 224/2020**

MRS. RAJBALA SAIN AND ORS

..... Plaintiffs

Through: Mr. Gaurav, Mr. Abhishek & Mr. Rohit
Agarwal, Advs (9899886971) (rohit@
jkgalawchambers.com)

versus

MR. C.L. SAIN AND ORS

..... Defendants

Through: Ms. Nidhi Mehrotra, Adv for D1
(8447888313) (nidhi@nmlawoffices.in)
Mr. Vinod K Singh, Adv for D7 & 8
(through VC) (vinod4singh
@gmail.com) (9810384078).

CORAM:

MS. VANDANA JAIN (DHJS) JOINT REGISTRAR(JUDICIAL)

ORDER

%

06.01.2023

IA No. 172/2023(U/S 151 CPC filed by D-1 for modification of order dated 09.11.2022)

Learned counsel for plaintiffs accepts notice of IA and objects to the same.

Partly arguments heard on the IA. At this stage, learned counsel for D1 submits that she wishes to withdraw her application and she would be availing appropriate remedy for challenging the said order.

In view of submissions made, instant application stands dismissed as withdrawn.

CS(OS) 224/2020

Joint Document Schedule still not filed. Learned counsel for



plaintiffs submits that two days time was granted to defendant to sign the Joint Document Schedule and sent it back to him. However, he did not receive back the same from defendants. He further submits that he had received it 3-4 days back and the Joint Document Schedule which has been received by him is not in accordance with the order dated 09.11.2022. He further submits that defendant No.1 is deliberately trying to delay the case.

On this, learned counsel for defendant No.1 submits that she has moved an application for modification of the order dated 09.11.2022 which has been withdrawn by her today and she was in continuous touch with the counsel for plaintiff through email assigning the reasons for non-signing of the Joint Document Schedule. However, she has brought a cheque of Rs 5,000/- in the name of plaintiff for payment of cost imposed on last date. Cheque handed over to counsel for plaintiffs in the Court today.

Learned counsel for defendant No.1 submits that she will take appropriate steps for challenging the order dated 09.11.2022.

In the interest of justice, one more opportunity is granted to take appropriate steps in this regard.

As requested, let the matter be placed before Hon'ble Court on the date already fixed in the case i.e. on 10.01.2023 for further directions.

VANDANA JAIN (DHJS)

JOINT REGISTRAR(JUDICIAL)

JANUARY 6, 2023

SK