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

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

MRS. RAJBALA SAIN AND ORS Plaintiffs

Through: Mr. Rohit Agrawal, Adv

versus

MR. C.L. SAIN AND ORS Defendants

Through: Mr. Pradeep Sain, proxy counsel for Ms
Nidhi Mehrotra, Adv for D-9

CORAM:

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

ORDER

% **19.07.2022**

IA No. 7226/2020 (U/o 39 R 1 &2 CPC filed on behalf of Plaintiffs)

IA No. 9342/2020 (U/o 39 R 2 A CPC filed on behalf of Plaintiffs)

IA No. 11901/2020 (U/O VII R 11 CPC filed on behalf of D-1)

Pleadings in the abovesaid IAs are complete.

IA No. 11902/2020(U/o 39 R 4 CPC filed on behalf of D-9)

Rejoinder to reply of plaintiffs not filed on behalf of D-9.

Learned proxy counsel for defendant No.9 seeks more time to file the rejoinder. Let rejoinder, if any be filed by D9 within a week, subject to deposition of cost of Rs 3,000/- in Delhi High Court Legal Services Committee.

IA No. 11903/2020 (U/o 39 R 4 CPC filed on behalf of D-10)

Rejoinder to reply of plaintiffs not filed.



IA No. 11906/2020 (U/o 39 R 4 CPC filed on behalf of D-1)

Reply to IA not filed by Plaintiffs. Learned counsel for plaintiffs seeks time to file the reply. Let reply to the IA, if any be filed by plaintiff within a week with advance copy to opposite side who may file rejoinder, if any within a week thereafter, subject to deposition of cost of Rs 3,000/- in Delhi High Court Legal Services Committee.

CS(OS) 224/2020

Written statement of defendant No.7 to 10 not filed till date. Statutory period for filing of written statement on behalf of D7 to 9 has already been over. The benefit of limitation period as granted by Hon'ble Supreme Court in *Suo Motu Writ Petition (C) No. 3/2020* is also over. Therefore, opportunity given to file the written statement on behalf of defendant No.7 to 9 stands closed.

From the perusal of record, it is revealed that vide order dated 16.09.2021, learned counsel for defendant No.10 had informed about the passing away of defendant No.10 and learned counsel for plaintiffs was given time to take necessary steps for impleadment the LRs of deceased defendant No.10. However, no steps have been taken by plaintiffs till date. Hence, suit stands abated against D-10.

Amended Memo of Parties be filed by plaintiff before the next date of hearing.

Pleadings qua D-1 to 6 are complete.

Documents e-filed on behalf of plaintiffs.

Joint Document Schedule be filed physically by plaintiffs after getting it signed from D1 to 6.



Put up for marking of exhibits to the documents on 09.09.2022.

VANDANA JAIN (DHJS)
JOINT REGISTRAR(JUDICIAL)

JULY 19, 2022
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