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

+ CS(OS) 389/2023 with I.A. 11635/2023, I.A. 11636/2023, I.A. 11637/2023, I.A. 12189/2023, I.A. 12190/2023, I.A. 14329/2023, I.A. 14330/2023, I.A. 18201/2023 and I.A. 22073/2023

BSES RAJDHANI POWER LTD.
& ANR.

.....Plaintiffs

Through: Mr. Sandeep Sethi, Senior Advocate
with Mr. Anupam Varma, Mr. Nikhil
Sharma, Ms. S. Akshata, Ms. Krisna
Gambhir and Ms. Shreya Sethi,
Advocates.

versus

MR. DAL CHAND KAPIL @ DC KAPIL
& ORS.

.....Defendants

Through: Mr. Piyush Beriwal and Ms. Ruchita
Srivastava, Advocates for D-3.

CORAM:
HON'BLE MR. JUSTICE AMIT BANSAL

ORDER
02.12.2025

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**CS(OS) 389/2023 with I.A. 11635/2023, I.A. 12190/2023, I.A. 14330/2023
and I.A. 22073/2023 (u/O XXXIX Rules 1 and 2 of the CPC)**

1. None has been appearing on behalf of the defendants no.1 and 2 since 30th July, 2024.
2. Accordingly, the defendants no.1 and 2 are proceeded against *ex-parte*.
3. In view of the above, the interim orders passed by this Court on 11th July, 2023, 3rd August, 2023 and 6th November, 2023 are confirmed till the



final adjudication of the suit.

4. Accordingly, I.A. 11635/2023, I.A. 12190/2023, I.A. 14330/2023, and I.A. 22073/2023, all under Order XXXIX Rules 1 and 2 of the Code of Civil Procedure, 1908 (hereinafter 'CPC'), stand disposed of.

5. List the suit for further proceedings on 10th February, 2026.

I.A. 18201/2023

6. This application has been filed on behalf of the defendant no.1 seeking certain directions.

7. The application is dismissed for non-prosecution.

I.A. 12189/2023 (u/O VI Rule 14 of the CPC)

8. Since there is no contest to the present application filed on behalf of the plaintiffs, the additional documents are permitted to be taken on record.

9. The application stands disposed of.

I.A. 11637/2023 (seeking exemption from complying with Section 80 of the CPC)

10. For the reasons stated, the plaintiffs are exempted from complying with Section 80 of the CPC *qua* the defendant no.3.

11. The application stands disposed of.

I.A. 11636/2023 (u/O II Rule 2 of the CPC)

12. Since there is no contest to the present application, leave is granted to the plaintiffs to file separate suit for defamation, loss of reputation and recovery.

13. The application stands disposed of.

AMIT BANSAL, J

DECEMBER 2, 2025

Vivek/-