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

+ CS(OS) 315/2019 & I.A. 10195/2019, I.A. 12784/2025,

SMT. BHAWANA AGGARWAL .....Plaintiff

Through: Mr. Shiv Charan Garg , Mr . Imran  
Khan, Advs.

versus

SHRI SUMIT AGGARWAL & ORS. ....Defendants

Through: Mr. Amit Gupta with Mr. kshitij  
Vaibhav and Ms. Muskan Nagpal  
Advocates.

**CORAM:**

**HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD**

**ORDER**

**14.01.2026**

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**O.A. 95/2025**

1. The present chamber appeal under Rule 5 Chapter II of the Delhi High Court (Original Side) Rules, 2018 has been filed by Applicant/Plaintiff against the Order dated 07.04.2025 passed by the Ld. Joint Registrar dismissing the I.A. No.16943/2019 filed by the Plaintiff under Order XI Rules 2 & 14 of CPC primarily on a technical ground stating that the said application ought to have been filed within 15 days from the date of filing the written statement.

2. Chapter VIII of the Delhi High Court (Original Side) Rules, 2018 reads as under:

***“CHAPTER VIII***

***DISCOVERY, INSPECTION AND***



## **INTERROGATORIES**

**1. Applications for Discovery, Inspection and Interrogatories by plaintiff.**-In addition to the right of the plaintiff to file applications as provided in Rule 1(f) of Chapter IV of these Rules, the plaintiff shall also be entitled to file such application within 15 days of receipt of written statement from the defendant. No such application by the plaintiff, except with leave of Court, shall be entertained thereafter.

**2. Applications for Discovery, Inspection and Interrogatories by defendant.**-In addition to the right of the defendant to file applications as provided in Rule 3 of Chapter VII of these Rules, the defendant shall also be entitled to file such application within 15 days of receipt of replication from the plaintiff. No such application by defendant, except with leave of Court, shall be entertained thereafter.

**3. Service of such applications.**-On the Court allowing the application for interrogatories, the same shall be served upon and answered in accordance with the provisions of the Code.”

3. The aforesaid Chapter VIII stipulates that it is always open for the Plaintiff to move an application under Order XI of CPC seeking leave of the Court for discovery and production of documents.

4. Confronted with the above, the learned Counsel for the Plaintiff seeks permission to withdraw the present appeal with liberty to file a fresh application under Order XI of CPC seeking leave of the Court to file an application for interrogatories.

5. Permission and liberty, as sought for, are granted.

6. The appeal is disposed of as withdrawn.



7. The application filed under Order XII Rule 6 of CPC will be decided after the application under Order XI of CPC is decided.

**CS(OS) 315/2019 & I.A. 10195/2019, I.A. 12784/2025**

List on 16.02.2026.

**SUBRAMONIUM PRASAD, J**

**JANUARY 14, 2026**

*S. Zakir*