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IN THE HIGH COURT OF DELHI AT NEW DELHI
CS(OS) 106/2007

SMT. SHASHI JAI KRISHNA & ANR. Plaintiffs

Through: Mr. Rohit Dhiman, Adv. (Email:
advocaterohitdhiman@gmail.com)

versus

SHRI DESH RAJ GUPTA & ORS. Defendants

Through: Mr. Praveen Kumar & Mr.
Naman Mittal, Adv. for proposed
LR no.(a) of D-1
(Mob.9999099325, Email:
law_sharma@yahoo.com)

Mr. Vanshay Kaul, Adv. for
proposed LRs (b) to (d) of D-1

Mr. Rohan Taneja & Mr. Mehul
Jain, Advs. for LR no.(a) Mr.
Jayant Gupta of D-2

Mr. Nitish Chaudhary, Adv. for
LRs no.(b)&(c) of D-2
(Mob.9810575121, Email:
nitishch@gmail.com)

Ms. Pankhuri Budhiraja, Adv. for
D-3 (joined through VC)

Ms. Rishika Arora, Adv. for
defendant no.4/ Mahendra
Kumar Gupta (joined through
VC) (Email:
rishika.arora@hotmail.com)

CORAM:

**JOINT REGISTRAR (JUDICIAL) MS. PRIYA
MAHENDRA, (DHJS)**

ORDER

% 22.03.2024

**IA no.6744/2024 under Order XXII Rule 4 CPC moved
by defendant no.1(b) to (d) to bring on record LRs of
D-1 with affidavit of LR no.(b) Mr. Mayank**

Learned respective counsels for non-applicants
present today accept notice of the captioned IA and
submits that they have not received copy of the captioned
IA. So, the applicant is directed to supply the within two
days through email. Thereafter, reply, if any, to the



captioned IA be filed by the other non-applicants within three weeks with copy to the opposite side, who is at liberty to file rejoinder, if any, within two weeks thereafter with copy to the opposite side.

Re-notify the captioned IA for completion of pleadings/consideration on the next date of hearing.

I.A.6008/2024 under Order XVIII Rule 16 r/w Section 151 CPC; and

I.A. 6009/2024 under Order XIV Rule 5 CPC; both IAs moved by defendant no.1(b) to 1 (d)

It is stated by learned counsel for the defendant no.2(a) that on the last date of hearing before the Hon'ble Court he has accepted notice on behalf of defendant no.2(a) and not for defendant no.2(b) & (c). He seeks some time to file reply to the captioned IA. At request, reply, if any, to the captioned IA be filed by LR no.2(a) within three weeks with copy to the opposite side, who is at liberty to file rejoinder, if any, within two weeks thereafter with copy to the opposite side.

Learned counsel for other LR no.(b)&(c) of the deceased defendnat no.2 also accepts notice of the captioned IA and submits that he has not received copy of the captioned IA. So, the applicant is directed to supply the within two days through email. Thereafter, reply, if any, to the captioned IA be filed by the LR no.(b)&(c) of D-2 within three weeks with copy to the opposite side, who is at liberty to file rejoinder, if any, within two weeks thereafter with copy to the opposite side.

Learned respective counsel for the plaintiff and defendnat no.4 seeks some more time to file reply to the captioned IAs. At request, let reply, if any, to the captioned



IA be filed by the said non-applicants within two weeks with copy to the opposite side, who is at liberty to file rejoinder, if any, within two weeks thereafter with copy to the opposite side.

Learned respective counsels for proposed LR no.1(a) and defendant no.3 accept notice of the captioned IA and submit that they have not received copy of the captioned IA. So, the applicant is directed to supply the same within two days through email. Thereafter, reply, if any, to the captioned IA be filed by proposed LR (a) of D-1 and defendant no.3 within three weeks with copy to the opposite side, who is at liberty to file rejoinder, if any, within two weeks thereafter with copy to the opposite side.

Re-notify the captioned IA for completion of pleadings/considerations on the next date of hearing.

IA NO.16762/2023 under Order XXII Rule 3 r/w Section 151 CPC filed by LR of plaintiff no.1 for bringing on record LR of deceased plaintiff no.1 with supporting Affidavit of LR (b) Ms. Nalini

The applicants have not taken requisite steps for filing supporting Affidavits of other LR of deceased plaintiff no.1 in terms of order dated 09.01.2024 and also not deposited the cost of Rs.2500/- despite last and final opportunity given to the applicants. It be noted that the matter is pending disposal since the year 2007. No plausible explanation is furnished by learned counsel for the applicants for non-compliance of the said order. No ground is made out to give further opportunity to the applicant for the same. Solely, in the interest of justice and subject to imposition of further cost of Rs.8000/- to be deposited with Delhi High Court Legal Services



Committee, now last and final opportunity is granted to the applicant to comply the said order. The applicants are also directed to deposit total cost of Rs.10500/- (Rs.2500/- + Rs.8000/-) within three weeks and also file cost receipt with the registry.

Re-notify captioned IA for consideration on the next date of hearing.

CS(OS) 106/2007

The captioned IAs are pending consideration.

Re-notify the matter for further proceedings on 18.07.2024.

**PRIYA MAHENDRA (DHJS)
JOINT REGISTRAR (JUDICIAL)**

MARCH 22, 2024/ab

Click here to check corrigendum, if any