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

+ **CS(OS) 417/2022 and I.A. 7371/2024, 7373/2024**

RAJ PAL JAIN

..... Plaintiff

Through: Mr. Rahul Raj Mishra, Adv.
versus

VED PRAKASH JAIN

..... Defendant

Through: Mr. Akshit Sachdeva & Ms. Snigdha
Sharma, Advs. for D-1 & 2. (M:
8860998257)

CORAM:

JUSTICE PRATHIBA M. SINGH

ORDER

% **15.04.2024**

1. This hearing has been done through hybrid mode.

I.A.7373/2024 (for filing amended memo of parties)

2. This is an application filed by the Plaintiff to bring on record the correct address of the Defendants by way of the amended memo of parties. For the reasons stated, the application is allowed. Amended memo of parties with the correct address is taken on record. Let the amended memo of parties attached with this application be moved to the pleadings folder.

3. Application is disposed of.

I.A.7371/2024 (for delay)

4. This is an application, seeking condonation of delay to take the rejoinder on record. However, the same is in fact an application to take the replication on record.

5. Replication was filed on 14th October, 2023. The Plaintiff - Mr. Raj Pal Jain expired on 5th May, 2023. By the said time, admittedly, the time for filing replication itself had lapsed. In any event, if the legal heirs would have



been brought on record, the same would not extend time for filing replication. The Division Bench in ***Ram Sarup Lugani & Anr. v. Nirmal Lugani & Ors., (2021) 276 DLT 681 (DB)***, observed that replication cannot be permitted to be taken on record beyond the statutory time limit as prescribed in the Delhi High Court (Original Side) Rules, 2018. Hence, the application is dismissed and the replication is not taken on record.

6. Application is disposed of.

CS(OS) 417/2022

7. List on the dates already fixed *i.e.*, on 26th April, 2024 before the Joint Registrar and on 26th July, 2024 before the Court.

PRATHIBA M. SINGH, J.

APRIL 15, 2024/dk/ks