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

+ **CS(OS) 305/2020**

ATUL PUNJ

..... Plaintiff

Through: Mr. Aditya Dewan, Adv (8527611077)
(adityadewan@gmail.com)

versus

UNION BANK OF INDIA & ORS.

..... Defendants

Through: Mr. Tushar Bagga, for Mr. Rajiv Kapur,
Adv for D-2-5,7-9, 11, 14-16 & 18

(rajiv@rpkapur.com)

Mr Akash Madan, proxy counsel for D6
(9990669208) (kakra.associates
@gmail.com)

Ms Divya Rana, Adv for D13
(9415452184) (divya_rana@
sngpartners.in)

Mr. Shitij Chakravarty, Adv for D17/J
& K Bank (through VC)

CORAM:

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

ORDER

% **14.03.2023**

IA No. 9228/2020 (U/O 39 Rule 1 & 2 CPC)

Pleadings qua IA are complete.

IA No. 11688/2020(U/O 7 Rule 11 CPC filed by D-6)

Rejoinder not filed. Learned counsel for D6 submits that he does
not wish to file rejoinder. His submissions are noted accordingly.

Hence, Pleadings qua IA are complete.

IA No. 2528/2021 (U/O 7 Rule 11 CPC filed by D-13)

Rejoinder not filed. Learned counsel for D13 submits that she does



not wish to file rejoinder. Her submissions are noted accordingly.

Hence, Pleadings qua IA are complete.

IA No. 2654/2021(U/O 7 Rule 11 CPC filed by D-2 to 5,7 to 9,11,14 to 16 & 18)

Rejoinder not filed. Learned counsel for applicants submits that he does not wish to file rejoinder. His submissions are noted accordingly. ***Hence, Pleadings qua IA are complete.***

CS(OS) 305/2020

Pleadings qua D1 to 5, 6, 7 to 9, 11, 13 to 16 & 18 are complete.

Right to file written statement of D-10 & 20 has already been closed.

Matter is listed for arguments on the point of limitation in filing the written statement by D-17.

Arguments heard. Record perused.

Written statement has been filed by D-17 within the time of limitation which was extended by the order of Hon'ble Supreme Court in *Suo Motu WP (C) No.3/2020* dated 10.01.2022, hence written statement is taken on record.

At this stage, learned counsel for plaintiff submits that he has not received copy of written statement from D-17. Let copy of same be supplied to counsel for plaintiff within two days from positively without prejudice to the rights and contentions of D-17 to make the submissions with respect to the supplying of copy of written statement to learned counsel for plaintiff earlier.



Let replication to the written statement of D-17 be filed in accordance with law, subject to the submissions of learned counsel for D-17 with respect to supplying the written statement to opposite side.

Matter is listed for consideration of service of D12 & 19. However, no affidavit of service has been filed by plaintiff.

Perusal of the office noting shows that there is no report with respect to the service of D12. With respect to service of D-19, office noting shows that D-19 has been served through email. However, on perusal of the file, it is seen that notice was sent, but it is nowhere mentioned in the report that complete set of paper book was supplied to D-19. Therefore, it cannot be considered to be a proper service.

Hence, D12 & 19 be served again in terms of last order by all permissible modes, returnable for next date of hearing.

Affidavit of service alongwith relevant proof be furnished before the next date of hearing.

Put up for consideration of service report qua D12 & 19 and completion of pleadings on 13.07.2023.

VANDANA JAIN (DHJS)
JOINT REGISTRAR(JUDICIAL)

MARCH 14, 2023
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