



\$~O-18

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

+ **CS(OS) 428/2021**

PANKAJ GUPTA DECEASED THR. LRS.Plaintiff

Through: Mr. Deepak Joshi, Adv.

versus

1. SMT. SUNITA DEVI & ORS.Defendants

Through: Mr. Deepanshu Mathpal, Adv. for D-1, 2, 5 and 6.

Mr. Bharat Gupta, Mr. Ishan Srivastava, Ms. Akshita Harjai and Mr. Saurabh, Advs. for D-3 & 4.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

%

17.01.2025

I.A. 23791/2023

1. The instant application, filed by defendant Nos.3 and 4 seeking appropriate directions, has rendered infructuous in the light of the order dated 30.11.2023. The same is, accordingly, disposed of.

I.A. 5303/2024

2. The instant application has been filed by the plaintiff under Chapter VII Rule 5 of Delhi High Court (Original Side) Rules, 2018 seeking permission to file replication.

3. Learned counsel appearing for defendant Nos.3 & 4 states that the rights of the plaintiff to file the replication stood closed *vide* order dated 22.01.2024, and there is no challenge to the said order.



4. The statement made by learned counsel appearing for defendant No.3 and 4 is taken on record.

5. Let this application be considered on 29.04.2025.

CS(OS) 428/2021, I.A. 23319/2023, 23041/2023, I.A. 11606/2021 & I.A. 12269/2023

6. There is a request on behalf of the plaintiff for adjournment on the ground that the arguing counsel is indisposed.

7. Acceding to the same, hearing of this case stands deferred till 29.04.2025.

8. I.A. 23319/2023 has been filed by the plaintiff under Order 1 Rule 10(2) seeking impleadment of Municipal Corporation of Delhi as a party to the suit.

9. Let the plaintiff to make submissions on the pending applications as well as on application I.A. 11606/2021 under Order XXXIX Rule 1 & 2 of CPC for a temporary injunction, I.A.12269/2023, filed on behalf of defendant Nos.3 and 4 under Order XXXIX Rule 2A seeking directions against the plaintiff for willful disobedience of the order dated 10.09.2021 and I.A. 23041/2023.

10. List on 29.04.2025.

11. The report of the Local Commissioner if already placed on record be permitted to be obtained by the counsel appearing for the parties along with photocopies.

PURUSHAINDR KUMAR KAURAV, J
JANUARY 17, 2025/P/DP