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

+ **CS(OS) 392/2024, I.A. 10889/2024**

RAJAT DILWALI

..... Plaintiff

Through: Mr. Nikhil Rohatgi, Mr. Raghav Kacker, Mr. Ribhav Pande, Mr. Aayush Shukla, Mr. Shashank Khurana, Advs.

versus

ALOK RAJESHWARNATH BHARGAVA

..... Defendant

Through: None.

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

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14.05.2024

I.A. 10890/2024

1. Exemption allowed, subject to all just exceptions.
2. Application stands disposed of.

CS(OS) 392/2024

3. The present suit has been filed under Order XXXVII CPC seeking recovery of a sum of INR 4,00,00,000/- [Rupees Four Crores Only], along with *pendent lite* and future interest and costs with the following prayer:

“a) Pass a decree in favour of the Plaintiff and against the Defendant for a principal sum of at Rs.4,00,00,000/- [Rupees Four Crores Only] with @12% p.a. pendente lite and till the date of payment by the Defendant.



b) Pass such order/orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case.”

4. Let the plaint be registered as suit.
5. Summons be issued to the defendants by all permissible modes, which shall indicate that the written statements must be filed within thirty days from the date of receipt of the summons.
6. The defendants are directed to file affidavit of admission/denial against the documents filed by the plaintiff, failing which the written statement shall not be taken on record.
7. The plaintiff is at liberty to file replications thereto within fifteen days of filing of the written statements, which shall be accompanied by affidavits of admission/denial, in respect of the documents filed by the defendants, failing which the replications shall not be taken on record.
8. It is made clear that any unjustified denial of documents may lead to an order of costs against the concerned party.
9. Any party seeking inspection of documents may do so in accordance with the Delhi High Court (Original Side) Rules, 2018.
10. List before Joint Registrar (Judicial) on 16.07.2024.

I.A. 10891/2024

11. The present application has been filed under Section 149 CPC seeking extension of time to deposit deficiency of court fee with the following prayer:

“a. Grant the Plaintiff/Applicant a period of 4 weeks to file the deficient Court Fees.

b. Pass any further or other order(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of



the present case”

12. In view of the submissions made, the present application is allowed and stands disposed of.

MAY 14, 2024/AR..

DINESH KUMAR SHARMA, J