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IN THE HIGH COURT OF DELHI AT NEW DELHI

CS(OS) 819/2007

NAGENDRA VASHISHT

..... Plaintiff

Through: Plaintiff in person

versus

BHAGWAT SAWROOP SHARMA & ORS.

..... Defendants

Through: Mr. Ghanshyam Mishra, Adv. for
D-9 (joined through VC)

None for other defendants

CORAM:

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

ORDER

% **24.01.2024**

**IA No.5644/2017 (Application under Order 1 Rule 10
CPC on behalf of the plaintiff seeking deletion of
defendant nos. 4, 5, 6, 7 and 11 to 13 from the array of
parties)**

The plaintiff has not filed the cost receipt of Rs.3000/- till date despite directions. So, the plaintiff is directed to file the same with the registry within two weeks.

It is stated by the plaintiff, who is present in person, that he has already filed Amended Memo of Parties vide diary no.E-152136/2024. However, as per office note, the same is not on record. So, the plaintiff is directed to take requisite steps within two weeks to bring Amended Memo of Parties on record.

On the last date of hearing i.e. 02.11.2023, learned counsel for the LRs of defendant no.4 and 8 had stated that he does not want to file any reply to the captioned IA.

It is stated by the plaintiff that other defendants have already given no objection to the captioned IA.

Heard and record perused.

The order dated 10.01.2018 reflects that the



defendant no.6 had made a statement that she does not wish to file any reply to the captioned IA.

Thereafter, as reflected in the order dated 20.03.2018, the defendant no.6 had sought time to file reply but till date no reply has been filed by defendant no.6 despite opportunity. Even otherwise none is present on behalf of defendant no.6 today to explain in this regard. So, the right of defendant no.6 to file reply is ordered to be closed.

The order dated 06.09.2017 reflects that the defendant no.1 to 3 and 7 have filed reply to the captioned IA and plaintiff had stated vide order dated 20.03.2018 that he does not wish to file any rejoinder to the same. **Thus, pleadings qua defendant no.1 to 3 & 7 are complete.**

The order dated 20.03.2018 also reflects that learned counsels for defendant no.9,10 and 11 to 13 have stated that they have no objection, if captioned IA is allowed..

The order dated 04.05.2017 has recorded that defendant no.5 had died a month back. However, till date the plaintiff has not taken requisite steps for impleading the LRs of deceased defendant no.5. So, the suit already stands abated against defendant no.5.

At request of the plaintiff, re-notify the captioned IA for arguments on 08.04.2024.

PRIYA MAHENDRA (DHJS)
JOINT REGISTRAR (JUDICIAL)
JANUARY 24, 2024/ab
Click here to check corrigendum, if any