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IN THE HIGH COURT OF DELHI AT NEW DELHI

CS(OS) 453/2021

MR. SAHIL VIRMANI & ANR.

.....Plaintiffs

Through: Mr. Nidish Gupta, Adv. (joined
through VC).

Versus

MR. KARAN GAMBHIR & ORS.

.....Defendants

Through: Mr. Thakur Ankit Singh, Adv.
for D-1.

CORAM:

**JOINT REGISTRAR (JUDICIAL) MS. PREETI
PAREWA, (DHJS)**

ORDER

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29.04.2026

CS(OS) 453/2021

- 1. Pleadings qua defendant no. 4 are already complete.**
2. Further, vide orders dated 16.07.2024 & 13.10.2025, the right of defendant no. 2&3 respectively to file Written Statement was directed to be forfeited.
3. Vide order dated 27.08.2025, the Hon'ble Court directed that the Written Statement filed by the defendant no.1 be taken on record subject to the cumulative costs of Rs.30,000/-, out of which a sum of Rs.25,000/- be paid to the plaintiffs and a sum of Rs.5,000/- be deposited in Delhi High Court Legal Services Committee.
4. The Written Statement as well as the Affidavit of Admission/Denial of documents has been filed on behalf of defendant no. 1 is already on record.
5. As per office note, the original cheque of cost along with the return memo has also been filed on behalf of plaintiff.



6. Learned counsel for plaintiffs submitted on the last date of hearing that the cheque handed over by the defendant no. 1 towards payment of costs, in terms of order of the Hon'ble Court dated 27.08.2025 has been dishonoured and despite intimation, the said cost remains unpaid by the defendant no. 1 till date.

7. Learned counsel for the defendant no. 1 submits that no intimation or copy of the cheque and return memo was received from the learned counsel for the plaintiffs and the defendant no. 1 is willing to pay the said costs by way of cheque even today. *Per contra*, learned counsel for plaintiffs submits that he is not willing to accept the said cost.

8. Vide order dated 27.08.2025, passed by the Hon'ble Court, seven days time was granted to defendant no. 1 to pay the said cost. As per record, only proof of cost of Rs. 5,000/- deposited with Delhi High Court Legal Services Committee is on record. Since, defendant no. 1 has failed to comply with the directions of the Hon'ble Court issued vide order dated 27.08.2025, **the Written Statement along with the Affidavit of Admission/Denial of documents, filed on behalf of defendant no. 1 is struck off the record.**

9. As per record, e-copy of Joint Schedule of the documents has already been filed by the plaintiff. Physical copy of the same be filed by the plaintiff, before the next date of hearing.

10. Further, as per office note, physical copies of the documents have been filed on behalf of plaintiff.

11. Defendant no. 4 is directed to file physical copy of



the documents of which e-copy already filed on record, if not filed earlier, before the next date of hearing.

12. Re-notify the matter for marking of exhibits to the documents on 25.08.2026.

PREETI PAREWA (DHJS)
JOINT REGISTRAR (JUDICIAL)

APRIL 29, 2026/bs