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

+ CS(OS) 453/2021 and IA No. 12395/2021 (application filed by the plaintiffs u/O XXXIX Rules 1 and 2 r/w Section 151 CPC)

MR. SAHIL VIRMANI & ANR. Plaintiffs
Through: Mr. Nidish Gupta,
Advocate appeared
through VC

versus

MR. KARAN GAMBHIR & ORS. Defendants
Through: Mr. Rajiv Bajaj, Advocate
for Defendant no.1
appeared physically
(email: rajivbajajlaw@gmail.com)
Mr. Sajal Manchanda,
Advocate for Defendant
no.4 appeared through VC
(M: 9811477809)
Mr. K.S. Verma and Mr.
Sachin Verma, Advocates
for Defendant no.6
appeared physically
(M: 9811560535)
(email: sachinverma5858@gmail.com)

CORAM:
JOINT REGISTRAR (JUDICIAL) MS. TYAGITA SINGH, (DHJS)

ORDER
% **16.02.2023**

Matter is taken up through physical hearing as well as video conferencing.

IA No. 12398/2021 (application filed by the plaintiffs u/S 151 CPC for placing on record the pendrive containing the video interview of the defendant no.1 being taken by defendant nos. 2 and 3)

Learned counsel for the plaintiff has stated that the concerned official of the Registry has informed him that pendrive is not on record. Fresh pendrive containing the requisite video be filed with the Registry within two weeks.



At request, soft copy of pendrive be supplied again to learned counsel for defendant no.1.

Reply, if any, be filed by the opposite parties within two weeks with advance copy to the opposite parties, as last opportunity.

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As per file noting, deficient court fees amounting to Rs. 2,44,000/- has been e-filed by the plaintiff.

Learned counsel for the plaintiff has stated that he has filed replication to written statement of defendant no.4 and rejoinder to reply of defendant no.4 to the application under Order 39 Rules 1 and 2 CPC. However, it is lying under objections. Let objections be removed within one week so that it comes on record.

Learned counsel for defendant no.1 has stated that he had not received the copy of video recording of the Pendrive due to which he has not filed written statement till date.

Perusal of the previous orders reveals that some counsel had appeared on behalf of defendant nos. 2 and 3, but as per file noting, vakalatnama has not been filed by learned counsel for defendant nos. 2 and 3 till date, and as per record, service of defendant nos. 2 and 3 is incomplete.

In the interest of justice, fresh summons be issued to defendant nos.2 and 3 on filing of PF within seven days, by all permissible modes and electronic mode and *dasti*. Affidavit of service be filed atleast one week before the next date of hearing.

Put up for further proceedings on 18th May, 2023.

**TYAGITA SINGH, (DHJS)
JOINT REGISTRAR (JUDICIAL)**

FEBRUARY 16, 2023/savita
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