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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(OS) 334/2020**
SHEELA DEVI & ANR.

.....Plaintiff

Through: Mr. Alok Dev (Through VC)

versus

SHRI MOHAN AGGARWAL & ORS.

.....Defendant

Through: Mr. Sanjeev Sharma Adv. for D-3,
M.9811378900 (Through VC)

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

ORDER
% **19.07.2024**

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

The present case has been transferred from the Court of Ld. Joint Registrar (Judicial) Mr. Manish Sharma, vide Order dated 28.06.2024 issued by Ld. Registrar (Original & JJ Sectt.).

The case is fixed for admission/denial and marking of exhibits but Joint Document Schedule has not been filed by plaintiff. Hard copy of pleadings and documents have not been filed on record by the parties.

Ld. Counsel for plaintiff has argued that vide order dated 14.02.2023 of the Ld. Predecessor, only his right to file Replication to the Written Statement of defendant no.1 was closed but his right to file affidavit of admission/denial qua the documents of defendant no.1 was not closed. On this ground, he has requested that affidavit of admission/denial already filed by plaintiff qua the documents of defendant no.1 be taken on record.



However, Ld. Counsel for plaintiff has been apprised by this Court that as per the provisions of Delhi High Court (Original Side) Rules 2018, when the right of plaintiff to file Replication to Written Statement of any defendant is closed, affidavit of admission/denial filed alongwith Replication cannot be taken on record and the documents of the said defendant filed with Written Statement are deemed to be admitted by the plaintiff as per provisions of Delhi High Court (Original Side) Rules, 2018. Therefore, in the present case also, the documents filed by defendant no.1 alongwith Written Statement are deemed to be admitted by plaintiff as per provisions of Delhi High Court (Original Side) Rules 2018, since his right to file replication has already been closed.

Both the parties are directed to file hard copy of pleadings and documents on record within four weeks as last and final opportunity failing which heavy cost will be imposed on both the parties on next date.

Be fixed for admission/denial and marking of exhibits qua the documents of plaintiff on 20.09.2024. Main counsels of the parties are directed to appear physically on next date.

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

JULY 19, 2024/sm