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

+ **CS(OS) 460/2021**

SUMAN SAWHNEY & ORS.Plaintiffs

Through: Mr. Rajeev Verma, Advocate.

versus

PANKAJ SAWHNEYDefendant

Through: Mr. M.S. Khan & Ms. Shaziya,
Advocates for D-1 & D-2A to D-2D.

Mr. Naveen Kumar Chaudhary &
Mr. Sunil Yadav, Advocates for
D-2 to D-4.

CORAM:

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

ORDER

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07.01.2025

Regular Stenographer is on leave today.

CS(OS) 460/2021

Fresh Affidavit of Admission/Denial of documents has been filed commonly by defendant no. 3 & 4 and fresh Affidavit of Admission/Denial of the document also filed for defendant no. 2.

However, on perusal of the said Affidavits of Admission/Denial of the documents, it is found that the same are again not strictly as per provisions of Rule 4 of Order XI of the code, as applicable to the Commercial Courts Act as the bare denials have been made in the said Affidavits. So, cost of Rs. 5,000/- is imposed on the learned counsel for the defendant no.2 to 4 to be deposited in Delhi High Court, Legal Services Committee and now



last and final opportunity is granted to the defendant no. 2 to 4 to file fresh/proper Affidavit of Admission/Denial of the documents strictly as per law within three weeks with copy to the opposite side.

On receipt of fresh/proper Affidavit of Admission/Denial of the documents filed by defendant no. 2 to 4, the plaintiff is directed to file Replication alongwith Affidavit of Admission/Denial of the documents within stipulated period as prescribed by law with copy to the opposite side.

At this stage, it is brought to my notice that even Affidavit of Admission/Denial of documents filed by defendant no. 1 to documents of plaintiff is not in the proper format. Now, last and final opportunity is granted to the defendant no. 1 to file fresh/proper Affidavit of Admission/Denial of the documents strictly as per law within three weeks with copy to the opposite side.

At this stage, it is brought to my notice that even Affidavit of Admission/Denial of documents filed by plaintiff to documents of defendant no. 1 is not in the proper format. Now, last and final opportunity is granted to the plaintiff to file fresh/proper Affidavit of Admission/Denial of the documents strictly as per law within three weeks with copy to the opposite side.

Thereafter, the plaintiff is also directed to file soft copy as well as physical copy of the Joint Schedule of the documents at least two weeks before the next date of hearing with copy to the opposite side.

The parties are 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.

Since the date before the Hon'ble Court is short, the matter may be placed before the Hon'ble Court on date fixed i.e. 09.01.2025, for further directions.

PRIYA MAHENDRA (DHJS)
JOINT REGISTRAR (JUDICIAL)
JANUARY 7, 2025/Ni

Click here to check corrigendum, if any