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IN THE HIGH COURT OF DELHI AT NEW DELHI

CS(OS) 475/2023

VIRENDRA SAHLOT

.....Plaintiff

Through: Adv. Abhimanyu Walia

versus

MS PRITI SURI & ORS.

.....Defendants

Through: Ms. Meenakshi Joshi & Ms.
Aprajita Verma ADvs. for D-
1&2

Mr. Vikas Jain & Ms. Shrawani,
Advs. for D-3&4

Mr. Neeraj Grover & Mr.
Kashish Vij, Advs. for D-5 to 9

Mr. Anish Dhingra, Adv. for D-
12/DDA

CORAM:

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

ORDER

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16.07.2024

CS(OS) 475/2023

1. Written Statement alongwith Affidavit of Admission/Denial of the documents filed by the defendant no.1&2 was taken on record vide order dated 24.01.2024.

However, till date, the plaintiff has not filed Replication to the same. Further, Chapter VII Rule 5 of Delhi High Court (Original Side) Rules categorically provides that the Replication is to be filed within 30 days of receipt of Written Statement, which is further extendable by a period not exceeding 15 days. In the judgement of *“Ram Swarup Lugani & Anr. Vs. Nirmal Lugani & Ors.”*, 2020 SCC OnLine Del 1353, the Hon'ble High Court of Delhi clearly held that the aforesaid time period is sacrosanct and cannot be extended by the court. The plaintiff has failed to file Replication within the time permissible by law.



In view of afore and settled proposition of law, the right of the plaintiff to file Replication qua defendant no.1&2 is ordered to be closed.

2. The right of the defendant no.3&4 to file Written Statement has already been ordered to be closed.

3. Vide order dated 09.11.2023, Written Statement alongwith Affidavit of Admission/Denial of the documents filed by the defendant no.5 to 9 were taken on record. As per record, defendant no.5 to 9 have also filed documents alongwith Written Statement.

4. Vide order dated 22.12.2023, Written Statement alongwith Affidavit of Admission/Denial of the documents filed by the defendant no.12 was taken on record.

5. The Right of the plaintiff to file Replication alongwith Affidavit of Admission/Denial of the documents qua defendant no.5 to 9 and Replication to the Written Statement of defendant no.12 has already been ordered to be closed.

6. Vide order dated 21.02.2024, the defendant no.10 was directed to file Written Statement. However, till date no Written Statement has been filed by defendant no.10 and even none is present on behalf of said defendant today in the court. Needless to say, Written Statement, if any, filed by defendant no.10 shall be made part of the record as per law.

7. The defendant no.11 has been served through ordinary process on 19.09.2024. Let Written Statement be filed by defendant no.11 within statutory period with copy to the opposite side.

Re-notify the matter for completion of pleadings qua



defendant no.10 &11/for further proceedings on the next date of hearing.

IA No. 14906/2023 (Stay) moved by the plaintiff

8. Learned counsel for the defendant no.1&2 already submitted that she does not wish to file any reply to the captioned IA.

9. No reply to the captioned IA has been filed by defendant no.3&4 till date despite seeking time vide order dated 21.02.2024. So, the right of defendant no.3&4 to file reply is ordered to be closed.

10. As per record, reply to the captioned IA filed by defendant no.5 to 9 is already on record but rejoinder to the same has not been filed by the plaintiff till date. Learned counsel for the plaintiff seeks some time for the same. In the interest of justice and subject to imposition of cost of Rs.1000/- to be deposited with Delhi High Court Legal Services Committee, the last and final opportunity is granted to the plaintiff to file rejoinder within two weeks with copy to the opposite side.

11. Learned counsel for the defendant no.10 already stated that he does not wish to file any reply to the captioned IA.

12. Let reply, if any, be filed by defendant no.11 within two weeks with copy to the opposite side, who is at liberty to file rejoinder, if any, within two weeks thereafter with copy to opposite side.

13. No reply to the captioned IA has been filed by defendant no.12. At this stage, it is stated by learned counsel for the defendant no.12 that he does not wish to file any reply to the captioned IA.



Re-notify the captioned IA for completion of pleadings on the next date of hearing.

IA No. 14909/2023 (under Section 80(2) of CPC moved by the plaintiff for exemption from serving notice to D-11 and D-12)

14. Learned respective counsels for the defendant no.1&2 and defendant no.5 to 9 and D-10 already submitted that they do not wish to file any reply to the captioned IA.

15. The right of the defendant no.3&4 to file reply has already been ordered to be closed.

16. Pleadings qua defendant no.12 are complete.

17. Let reply, if any, be filed by defendant no.11 within two weeks with copy to the opposite side, who is at liberty to file rejoinder, if any, within two weeks thereafter with copy to opposite side.

Re-notify the captioned IA for completion of pleadings qua defendant no.11 on 07.10.2024.

**PRIYA MAHENDRA (DHJS)
JOINT REGISTRAR (JUDICIAL)**

JULY 16, 2024/ab

[Click here to check corrigendum, if any](#)