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

+ **CS(OS) 372/2020**

SHRI VIJAY SETHIPlaintiff

Through: Mr. P.R. Chopra, Adv.

versus

SHRI ANIL SETHI & ORS.Defendant

Through: Mr. Rishi Bhatnagar & Mr. Mohan
Khullar, Advs. for D-2.

CORAM:

**JOINT REGISTRAR (JUDICIAL) SH. DEVENDER KUMAR
GARG (DHJS)**

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ORDER

26.09.2022

**I.A. No.5312/2022 (under Order XXII Rule 4 r/w Section 151
CPC filed on behalf of the plaintiff to bring on record LRs of the
defendant no.3)**

1. As per office noting, no reply to the captioned IA filed on behalf of the defendant no.2.
2. Learned counsel for defendant no.2 submits that he is not having copy of the captioned IA.
3. Learned counsel for plaintiff submits that he has already supplied the copy, however, he will again supply the same today itself. Let the same be supplied accordingly.
4. The defendant no.2 may file reply to the captioned IA within two weeks with advance copy to the plaintiff, who may file rejoinder within three weeks thereafter.



5. As per office noting, PF not filed, so, notice not issued.
6. Let fresh notice of the captioned IA be issued to LR of defendant no.3 and defendants no.4 and 5 through all permissible modes, for next date of hearing.
7. Ld. Counsel for plaintiff submits that some more time is required for filing fresh address of the defendant no.1. Let appropriate steps be taken.
8. On filing of fresh address of the defendant no.1 by the plaintiff, issue notice of the captioned IA to the defendant no.1 on the fresh address through all permissible modes for next date of hearing.
9. Re-notify the captioned IA for completion of pleadings and further proceedings on **31st January, 2023**.

Counter-claim (on behalf of defendant no.2)

1. Let the counter-claim be registered as per rules.
2. Ld. Counsel for counter-claimant submits that he will file memo of parties with respect to the counter-claim within two weeks from today. Let the same be filed accordingly.
3. Ld. Counsel for respondent/plaintiff accepts summons of counter-claim. The respondent/plaintiff may file his written statement to the counter-claim alongwith affidavit of admission/denial as per law with advance copy to opposite party, who may file replication and affidavit of admission/denial of documents as per law.
4. Ld. Counsel for counter-claimant further submits that he will take appropriate steps for impleading LR of respondent Mr. Ashok Sethi (defendant no.3 in main suit). Let appropriate steps be taken as per law.



5. Subject to filing of memo of parties, summons be issued to the remaining respondents for next date of hearing.
6. Re-notify the counter-claim for completion of service, completion of pleadings and further proceedings on **31st January, 2023.**

CS(OS) 372/2020 & I.A.No.10975/2020 (under Order XXXIX Rule 1 & 2 CPC)

1. An application for bringing on record LR's of defendant no.3 is pending for consideration.
2. Written statement and affidavit of admission/denial of documents filed on behalf of defendant no.2 has come on record.
3. No written statement has been filed on behalf of the defendants no.4 and 5. Same be filed as per law with advance copy to the plaintiff, who may file replication within two weeks thereafter.
4. Let the pleadings be completed as per law.
5. Re-notify the matter for further proceedings on **31st January, 2023.**

**DEVENDER KUMAR GARG (DHJS)
JOINT REGISTRAR (JUDICIAL)**

SEPTEMBER 26, 2022/v

Click here to check corrigendum, if any