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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CS(OS) 509/2022

SAHIL MARWAH & ANR.

.....Plaintiff

Through: Mr. Abhay Narula, Adv.

versus

ONKAR SINGH MARWAH & ORS.

.....Defendant

Through: Mr. Varun Sarian, Ms. Aparna Iyer
& Ms. Parul Dutta, Advs. for D-1.

Mr. Karan Nagrath & Mr. Vipul
Pankaj Sanghi, Advs. for D-2.

None for D-3 & 4.

CORAM:

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

ORDER

16.11.2022

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I.A. No.17376/2022 (by defendant no.2 u/S 151 CPC for disclosing the details of FD's encashed by her after the death of Late Ms. Mala Marwah).

1. Vide order dated 20.10.2022, the captioned IA was listed for today. However, the same is not listed in the cause list for today. Registry to take note of the same.
2. At joint request, re-notify captioned IA for consideration on 21st December, 2022.

I.A. 18484/2022 (of defendant no.2 u/O-VII R-11 CPC);

I.A. 18485/2022 (of defendant no.2 u/O-XII R-6 CPC);

I.A. 18486/2022 (of defendant no.1 u/O-VII R-11 CPC) &

I.A. 18487/2022 (of defendant no.1 for exemption)

1. It is submitted that the captioned IAs are coming up for hearing before the Hon'ble Court on 12.01.2023.



I.A. 18706/2022 (of defendant no.2 seeking condonation of delay of 3 days in filing written statement and replies to IA No.13924/2022, 13925/2022 & 13926/2022)

1. Ld. Counsel for plaintiff accepts notice of the captioned IA and submits that he does not wish to file any reply to the captioned IA and has no objection if the same is allowed.
2. For the reasons stated in the application and in view of submissions on behalf of plaintiff, delay in filing written statement and replies to IA No.13924/2022, 13925/2022 & 13926/2022 on behalf of defendant no.2 is condoned and the said written statement and replies are taken on record.
3. The captioned IA stands disposed off accordingly.

I.A. 13925/2022 (u/O XL Rule 1 of CPC) &

I.A. 13928/2022 (u/O II Rule 2 of CPC)

1. It is submitted that the captioned IAs are coming up for hearing before the Hon'ble Court on 12.01.2023.
2. As per office noting, notice has been served upon the defendants no.3 and 4 through email and WhatsApp.
3. There is no appearance on behalf of defendants no.3 & 4. The said defendants may file reply to the captioned IAs within four weeks with advance copy to the opposite party, who may file rejoinder with two weeks thereafter.
4. Replies to the captioned IAs on behalf of defendant no.2 are taken on record while disposing off IA No.18706 of 2022.
5. Ld. Counsel for plaintiff seeks time for filing rejoinder to the replies filed on behalf of defendant no.2 qua the captioned IAs. Let the same be filed within two weeks



with advance copy to the opposite party.

6. No reply to the captioned IA filed on behalf of defendant no.1. Let appropriate steps be taken.
7. Let the pleadings be completed as per law.
8. Re-notify the captioned IAs for completion of pleadings and further proceedings on **21st December, 2022.**

I.A. 14661/2022 (u/S 151 of CPC)

1. It is submitted that the captioned IA has already been disposed off vide order dated 08.09.2022 passed by the Hon'ble Court. Registry to take note of the same.

CS(OS) 509/2022 & I.A. 13924/2022 (u/O XXXIX Rules 1 & 2 of CPC)

1. It is submitted that the matter and captioned IA are coming up for hearing before the Hon'ble Court on 12.01.2023.
2. As per office noting, written statement was filed on behalf of the defendant no.1 on 14.11.2022.
3. Office noting further reveals that affidavit of admission/denial of documents was filed on behalf of the defendant no.1 on 29.10.2022.
4. Office noting further reveals that documents were filed on behalf of the defendant no.1 on 29.10.2022.
5. Office noting also shows that vakalatnama was filed on behalf of the defendant no.2 vide diary no.1530136 dated 09.09.2022.
6. It is submitted that the written statement and reply to the captioned IA filed on behalf of the defendant no.2 have been taken on record today while disposing off IA No. 18706/2022.



7. The plaintiff may file application alongwith affidavit of admission/denial of documents qua defendants no.1 and 2 as per law with advance copy to the opposite party.
8. Office noting further reveals that summons of suit have been served upon the defendants no.3 and 4 through email and WhatsApp. There is no appearance on behalf of the defendants no.3 and 4.
9. The remaining defendants may file their written statement and affidavit of admission/denial of documents as per law with advance copy to the opposite party, who may file replication and affidavit of admission/denial thereafter as per law.
10. The remaining defendants may also file reply to the captioned IA within four weeks with advance copy to the opposite party, who may file rejoinder within two weeks thereafter.
11. Let the pleadings be completed as per law.
12. Re-notify the matter for completion of pleadings and further proceedings on **21st December, 2022.**

DEVENDER KUMAR GARG (DHJS)
JOINT REGISTRAR (JUDICIAL)

NOVEMBER 16, 2022/v

Click here to check corrigendum, if any