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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CS(OS) 509/2022

SAHIL MARWAH & ANR.

.....Plaintiff

Through: Mr. Abhay Narula, Adv. (E-mail:
abhey@narulaandassociates.com
& Mob. No.9999821737)

versus

ONKAR SINGH MARWAH & ORS.

.....Defendant

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

Mr. Karan Nagrath, Ms. Niharika
Nagrat, Mr. Vipul Pankaj Sanghi
& Mr. B.P. Sharma, Advs. for D-2.

Mr. Ujas Kumar, Adv. for D-4.

None for D-3.

CORAM:

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

ORDER

21.12.2022

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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. It is submitted that the main matter is coming up for hearing before the Hon'ble Court on 12.01.2023.
2. Ld. Counsel for defendant no.1 has submitted that he has already filed his affidavit in terms of the order dated 31.08.2022 as is reflected in the order dated 27.09.2022 passed by the Hon'ble Court.
3. Ld. Counsel for plaintiff submits that complete details as directed vide order dated 31.08.2022 have not been



provided by the defendant no.2.

4. Ld. Counsel for defendant no.2 submits that he needs some time for taking instructions.
5. At this stage, Ld. Counsels for both the parties have submitted that the captioned IA may be placed before the Hon'ble Court where they would make their further submissions.
6. At joint request, let the captioned IA be placed before the Hon'ble Court for further directions on the date already fixed i.e. **12th January, 2023.**

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. 18776/2022 (of plaintiff for directions)

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

I.A. 13925/2022 (u/O XL Rule 1 of CPC by plaintiff) &
I.A. 13928/2022 (u/O II Rule 2 of CPC by plaintiff)

1. Replies to the captioned IAs on behalf of defendant no.2 as well as on behalf of defendant no.1 are already on record. No rejoinder to the said replies filed on behalf of the plaintiff. Time sought. Let the same be filed within one week from today.
2. Ld. Counsel for defendant no.4 submits that he does not wish to file any reply to the captioned IAs. He further submits that he is supporting case of the plaintiff.



3. No reply to the captioned IA filed on behalf of defendant no.3.
4. It is submitted that the captioned IAs are coming up for hearing before the Hon'ble Court on 12.01.2023.
5. At joint request, let the captioned IAs be placed before Hon'ble Court for further directions on the date already fixed i.e. **12th January, 2023.**

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

1. Ld. Counsel for defendant no.1 submits that initially his written statement was filed on 29.10.2022 and after removal of objections, the same was taken on record on 14.11.2022.
2. Written statement and affidavit of admission/denial of documents already filed on behalf of defendant no.1 and defendant no.2.
3. As per office noting, written statement and affidavit of admission/denial of documents were filed on behalf of the defendant no.4 on 14.12.2022.
4. No replication and affidavit of admission/denial has been filed on behalf of defendants no.1, 2 and 4. Time sought.
5. The plaintiff may file replication alongwith affidavit of admission/denial of documents qua defendants no.1, 2 and 4 as per law with advance copy to the opposite party.
6. At request, the defendants are directed to exchange their written statement and affidavit of admission/denial of documents with each other.
7. Reply to the captioned IA already filed on behalf of the defendant no.2 as well as on behalf of defendant no.1.
No rejoinder to the said reply filed on behalf of the



plaintiff. Time sought that the same be filed by plaintiff within one week from today with advance copy to the opposite party.

8. The defendant no.3 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.
9. No reply to the captioned IA filed on behalf of defendant no.3.
10. It is submitted that the present matter and captioned IA are coming up for hearing before the Hon'ble Court on 12.01.2023.
11. At joint request, let the present matter be placed before the Hon'ble Court for further directions the date already fixed i.e. **12th January, 2023.**

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

DECEMBER 21, 2022/v

Click here to check corrigendum, if any