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

+ **CS(OS) 413/2020**

SHRI KAILASH NATH KHANNAPlaintiff

Through: Mr. Abhishek Mohan & Mr. Amitesh
Bakshi, Advs. For LR's of plaintiff
(through VC).

versus

M/S APPLE BUILD HOMES LLP & ORS.Defendant

Through: Mr. Rajender Agarwal, Adv. for D-1
to 7 (through VC).
Mr. Karan Nagrath & Mr. Vipul
Pankaj Sanghi, Advs. for D-17
(through VC).
None for D-8 (c).
None for D-8 (a) & (b), D-9 to 15,
LRs of D-16 & for proposed D-18.

CORAM:

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

ORDER
13.10.2022

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**I.A.No.4995/2022 (u/O XXII Rule 4 CPC by proposed LR's of
plaintiff)**

1. Ld. Counsel for LR's for plaintiff has submitted that the captioned IA was to be filed for bringing on record LR's of defendant no.9, but due to some inadvertent mistake, the same was filed in respect of defendants no.8 and 16. He has further submitted that IA No.16944/2021 was already filed for bringing on record LR's of



defendants no.8 and 16, therefore, he intends to withdraw the present application.

2. In view of submissions of Ld. Counsel for proposed LR's for plaintiff, the captioned IA is dismissed as withdrawn.
3. The captioned IA stands disposed off accordingly.

I.A. No.16944/2021 (u/O XXII Rule 4 read with Section 151 of CPC on behalf of proposed LR's of plaintiff for bringing on record LR's of defendant no.8 and 16) &

I.A. No.16945/2021 (u/S 151 CPC seeking condonation of delay of 91 days in re-filing IA No.16944/2021 by proposed LR's of plaintiff)

1. Perusal of IA No.16944/2021 would show that the same has been moved for bringing on record LR's of defendant no.8 and 16, however, in prayer clause of the same, request has been made for bringing on record LR's of defendants no.1(a), 1(b) and 1(c).
2. Ld. Counsel for LR's of the plaintiff submits that he will take appropriate steps for correction in the prayer clause of IA No. 16944/2021.
3. At request, re-notify the captioned IAs for further proceedings on 20th February, 2023.

I.A.No.17131/2021 (under Order XXII Rule 3 r/w Section 151 CPC for impleadment of legal heirs of the plaintiff) &

I.A.No.17132/2021 (under Section 151 CPC seeking condonation of delay of 91 days in re-filing IA No.17131/2021)

1. Ld. Counsel for defendants no.1 to 7 as well as Ld. Counsel for defendant no.17 have submitted that they do not want to file any reply to the captioned IAs and they have no objection if the same



is allowed.

2. Issue notice of the captioned IAs to the remaining defendants through all permissible modes for next date of hearing.
3. Re-notify the captioned IAs for completion of pleadings and further proceedings on **20th February, 2023**.

CS(OS) 413/2020

1. As per office noting, written statement alongwith affidavit of admission/denial of documents filed on behalf of the defendant no.17 vide diary no.256638 dated 25.02.2022.
2. Separate applications for brining on record LRs of plaintiff and LRs of defendant no.8 as well as defendant no.16 are pending for consideration.
3. Ld. Counsel for plaintiff submits that he will take appropriate steps for bringing on record LRs of defendant no.9 as per law.
4. Ld. Counsel for defendants no.1 to 7 has submitted that limitation period for bringing LRs of defendant no.9 has already expired.
5. Re-notify the matter for further proceedings on **20th February, 2023**.

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

OCTOBER 13, 2022/v

Click here to check corrigendum, if any