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IN THE HIGH COURT OF DELHI AT NEW DELHI

CS(OS) 547/2022

ANURADHA MITTAL

..... Plaintiff

Through: Mr. Joby P. Varghese, Adv.

versus

DEEPAK KUMAR & ANR.

..... Defendants

Through: Mr. Naresh Gupta, Adv. for D-1
Mr. Rahul Kaul, Adv. for D-2
(Mob.8377997522)

CORAM:

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

ORDER

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19.01.2024

**IA No. 14671/2022 under Order XXXIX Rules 1&2 of
CPC (stay)**

The pleadings are already complete.

At request, re-notify captioned IA on the next date of hearing.

CS(OS) 547/2022

As per office note, physical copy of fresh Affidavit of Admission/Denial of the documents filed by the plaintiff qua documents of defendant no.1 and physical copy of Joint Schedule of the documents filed by the plaintiff, are on record.

However, on perusal of revised Affidavit of Admission/Denial of the documents filed by the plaintiff, it is found that the same is not again in the prescribed format as per Chapter VII of Delhi High Court (Original Side) Rules for which no plausible explanation is furnished by learned counsel for the plaintiff. Learned counsel for the plaintiff seeks some time to file proper/fresh Affidavit of Admission/Denial of the documents. Vide order dated 08.11.2023, the plaintiff was directed to file fresh Affidavit of Admission/Denial of the documents after finding that it



was not in the proper form as per Chapter VII of Delhi High Court (Original Side) Rules. So, no ground is made out to give further opportunity to the plaintiff for the same. Solely, in the interest of justice and subject to imposition of cost of Rs,1500/- to be deposited with Delhi High Court Legal Services Committee by the plaintiff, one more opportunity is granted to the plaintiff to file fresh/proper Affidavit of Admission/Denial of the documents as per Chapter VII of Delhi High Court (Original Side) Rules within two weeks with copy to the opposite side.

Thereafter plaintiff is directed to file e-copy as well as physical copy of fresh Joint Schedule of the documents compatible with fresh/proper Affidavit of Admission/Denial of the documents filed by the plaintiff at least two weeks before the next date of hearing.

As per record, physical copy of the documents filed by the plaintiff and defendant no.1 are already on record.

Re-notify the matter of marking of exhibits to the documents on 04.04.2024.

PRIYA MAHENDRA (DHJS)
JOINT REGISTRAR (JUDICIAL)
JANUARY 19, 2024/ab

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