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

+ **CS(OS) 435/2020**

GHAZALA PARVEENPlaintiff

Through: **Ms. Jyotsna Bhardwaj, Adv.**

versus

SHAHNAZ PARVEEN & ORS.Defendant

Through: **Mr. I. Ahmed, Proxy Counsel for
Mr. S.D. Ansari, Adv. for D-1 to 7,
10, 11, 13 & 14.**

None for D-8, 9, 12 & 15.

CORAM:

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

ORDER

15.11.2022

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**I.A.No.3793/2021 (under Order XXXII Rule 3 CPC
moved by plaintiff for appointment of defendant no.9 as
guardian-ad-litem of minor defendant no.12 and for
appointment of defendant no.14 as guardian-ad-litem of
minor defendant no.15)**

1. As per office noting, notice of the captioned IA issued to defendant no.12 through his mother and next friend i.e. defendant no.9 and to the defendant no.15 through his mother and next friend i.e. defendant no.14, received back unserved.
2. Perusal of order dated 12.03.2021 passed by Hon'ble Court would show that notice of the captioned IA was ordered to be served upon defendants no.9 and 14. There is no appearance on behalf of the defendants no.9 and 14 today.
3. In the present facts, issue fresh notice of captioned IA to the defendants no.9 and 14 through counsel as well as in person for next date of hearing.



4. Let the pleadings be completed as per law.
5. Re-notify the captioned IA for completion of pleadings and further proceedings on **07th March, 2023**.

I.A. No.9052/2022 (under Order XXII Rule 4 CPC to bring on record LRs of deceased defendant no.8)

1. As per office noting, affidavit of service filed on behalf of plaintiff vide diary no.1603186 dated 23.09.2022.
2. In view of the aforesaid affidavits of service and service report, the defendant no.8(a) and 8(b) have been served notice of the captioned IA through speed post as well as ordinary WhatsApp.
3. In view of the service report for 05.09.2022, notice of the captioned IA was served upon defendants no.9, 11 and 13 through ordinary WhatsApp.
4. Perusal of order dated 12.04.2022 passed by the Hon'ble Court would show that notice of the captioned IA was already accepted on behalf of the defendants no.1 to 7, 10, 12 and 15.
5. The served defendants may file reply to the captioned IA within four weeks with advance copy to the plaintiff, who may file rejoinder within two weeks thereafter.
6. Notice of the captioned IA has remained unserved upon defendant no.14.
7. Issue fresh notice of the captioned IA to the defendant no.14 for next date of hearing. The defendant no.14 may file reply to the captioned IA within four weeks from the date of service of notice with advance copy to the opposite party, who may file rejoinder within two weeks thereafter.
8. Let the pleadings be completed as per law.



9. Re-notify the captioned IA for completion of service, completion of pleadings and further proceedings on **07th March, 2023.**

CS(OS) 435/2020 & I.A.No.12299/2020 (u/O XXXIX Rule 1 & 2 CPC)

1. As per office noting, rejoinder qua the captioned IA was filed on behalf of the plaintiff to the reply of defendants no.1 to 7, 9 to 11, 13 and 14 on 12.11.2022.
2. Office noting further reveals that replication and affidavit of admission/denial qua defendants no.1 to 7, 9 to 11, 13 and 14 was also filed by plaintiff on 12.11.2022.
3. Ld. Counsel for plaintiff has submitted that she will move appropriate application for condonation of delay in filing replication and affidavit of admission/denial.
4. Ld. Counsel for defendants no.1 to 7, 10, 11 and 13 submits that he is not representing the defendant no.9 as he is not contacting him. He further submits that he will take appropriate steps.
5. An application u/O XXXII Rule 3 of CPC in respect of minor defendants no.12 and 15 and another application under Order XXII Rule 4 of CPC for bringing on record LRs of defendant no.8 are pending for consideration.
6. Re-notify the present matter for further proceedings on **07th March, 2023.**

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

NOVEMBER 15, 2022/v

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