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

+ **CS(OS) 491/2024 & CRL.M.A. 2923/2025**

RAJAT BHANDARI

.....Plaintiff

Through: Ms. Shweta Bharti, Mr. Shantanu Malik, Mr. Jyoti K Chaudhary, Mr. Yashodhara B. Roy, Ms. Darshita Sethia, Mr. Prakarti Shrivastava & Mr. Siddharth Tandon, Advs.

versus

ASHOK KUMAR BHANDARI & ORS.

.....Defendant

Through: Mr. Pradeep Aggarwal, Mr. Arjun Aggarwal and Mr. Aman Kumar, Advs. for D-1.

Mr. Harshit Agarwal, Advocate for D-2.

None for D-3 despite service.

CORAM:

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

ORDER

27.02.2025

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Proceedings are being conducted through hybrid mode.

I.A. No. 47401/2024 (by plaintiff for directions)

1. No reply to the captioned IA has been filed on behalf of defendants no.1 and 2. Time sought. Let the same be filed within four weeks and rejoinder thereto be filed within two weeks thereafter.

I.A. No. 47402/2024 (by plaintiff for condonation of delay of 25 days in re-filing IA No. 47401/2024)

2. Ld. Counsel for plaintiff has submitted that IA No.47402/2024 has been filed for condonation of delay of 25 days



in re-filing of IA No. 47401/2024. He has further submitted that due to some typographical mistake in the subject matter of the application, the same has been mentioned for condonation of delay in filing replication qua defendant no.1. Heard. In view of submissions, let subject matter of the captioned IA be read as application for condonation of delay in re-filing of IA no.47401/2024.

3. The defendants may file reply to the captioned IA within four weeks and rejoinder thereto be filed within two weeks thereafter.

I.A. No. 47392/2024 (by plaintiff for condonation of delay of 33 days in filing rejoinder to the reply of D-1 qua IA No. 31706/2024);

I.A. No. 47394/2024 (by plaintiff for condonation of delay of 20 days in filing documents alongwith replication qua D-1);

4. No reply to the captioned IAs has been filed on behalf of defendant no.1. Time sought. Let the same be filed within four weeks as last opportunity and rejoinder thereto be filed within two weeks thereafter.

I.A. No. 47398/2024 (by plaintiff for condonation of delay of 38 days in filing rejoinder to the reply of D-2 qua IA No.31706/2024);

I.A. No. 47403/2024 (by plaintiff for condonation of delay of 15 days in filing of replication qua D-2)

I.A. No. 47404/2024 (by plaintiff for condonation of delay of one day in re-filing of replication qua D-2)

5. No reply to the captioned IAs has been filed on behalf of defendant no.2. Time sought. Let the same be filed within four weeks as last opportunity and rejoinder thereto be filed within two weeks thereafter.



I.A. No. 38202/2024 (by D-2 u/O XXXIX Rule 3(A) & 4 of CPC)

6. Perusal of record shows that reply to captioned IA was already filed by the plaintiff vide diary no.5122639/2024. However, IA No.47397/2024 for condonation of delay in filing the said reply is pending for consideration.
7. Ld. Counsel for defendant no.2 submits that he does not wish to proceed further with the captioned IA and wishes to withdraw the same. Not opposed.
8. In view of above submissions, the present application is dismissed as withdrawn.
9. The captioned IA stands disposed off accordingly.

I.A. No. 38258/2024 (by D-1 u/O XXXIX R-3A & 4 CPC)

10. Perusal of record shows that reply to the captioned IA was already filed by the plaintiff vide diary no.4619159/2024. However, IA No.47395/2024 for condonation of delay in filing the said reply is pending for consideration.
11. Ld. Counsel for defendant no.1 submits that he does not wish to proceed further with the captioned IA and wishes to withdraw the same. Not opposed.
12. In view of above submissions, the present application is dismissed as withdrawn.
13. The captioned IA stands disposed off accordingly.

I.A. No. 47395/2024 (by plaintiff for condonation of delay of 21 days in filing reply to IA No.38258/2024 of D-1) &

I.A. No. 47397/2024 (by plaintiff for condonation of delay of 45 days in filing reply to IA No.38202/2024 of D-2);

14. Ld. Counsel for plaintiff has submitted that since main IAs No.38258/2024 and 28202/2024 have been dismissed as withdrawn today, therefore, the captioned IAs have



become infructuous and the same may be disposed off accordingly. Not opposed.

15. Heard. In view of above submissions, the captioned IAs stand disposed off as infructuous.

I.A. No. 31706/2024 (by plaintiff for stay)

16. Perusal of record shows that separate replies to captioned IA were already filed on behalf of defendant no.1 and defendant no.2.

17. Rejoinder to the reply of defendant no.1 was already filed by plaintiff vide diary no. 5596179/2024. However, IA No.47392/2024 for condonation of delay in filing the same is pending for consideration.

18. Rejoinder to the reply of defendant no.2 stated to be filed on behalf of plaintiff vide diary no.5122471/2024 has not come on record till date. Let appropriate steps be taken as per law.

19. However, IA No.47398/2024 for condonation of delay in filing rejoinder to the reply of defendant no.2 is pending for consideration on behalf of plaintiff.

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20. Perusal of record shows that written statement, affidavit of admission/denial of documents and documents with list of documents were already filed on behalf of the defendant no.1.

21. Perusal of record further shows that replication alongwith affidavit of admission/denial of documents were already filed on behalf of the plaintiff qua defendant no.1. The delay in filing the said replication was already condoned vide order dated 11.11.2024 passed in IA No.44571/2024.

22. It is submitted that IA No.47394/2024 for condonation of



delay in filing documents with replication qua defendant no.1 is pending for consideration.

23.Perusal of record further shows that written statement, affidavit of admission/denial and documents with list of documents were already filed by defendant no.2.

24.Perusal of record also indicates that replication alongwith affidavit of admission/denial were already filed on behalf of plaintiff qua defendant no.2. However, IAs No.47403/2024 and 47404/2024 for condonation of delay in filing / re-filing of the same are pending for consideration.

25.No written statement and affidavit of admission/denial of documents has been filed on behalf of defendant no.3. There is no appearance on behalf of defendant no.3.

26.The defendant no.3 may file written statement alongwith affidavit of admission/denial of documents as per law with advance copy to the opposite party, who may file replication alongwith affidavit of admission/denial of documents thereafter as per law.

27.Let the pleadings be completed as per law.

28.Re-notify the matter for completion of pleadings and further proceedings on **16th May, 2025.**

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

FEBRUARY 27, 2025/v

Click here to check corrigendum, if any