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IN THE HIGH COURT OF DELHI AT NEW DELHI

CS(OS) 628/2021

DR RENU PURI

.....Plaintiff

Through: Ms. Samvartika Pathak & ms.
Swati Bansal, Advs.

versus

SMT ANU MAHAJAN

.....Defendant

Through: Mr. Mohit Mallik, Adv. (joined
through VC) & Mr. Tushar
Rohmetra, Adv. (physically)
(Mob.9560217026)

CORAM:

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

ORDER

% **09.09.2024**

**I.A. 7304/2024 (for preliminary decree) moved by the
defendant**

1. As per office note, reply to the captioned IA filed by the plaintiff is still lying under objections. It is stated by learned counsel for the plaintiff that the reply could not come on record due to non-payment of cost and Rs.1000/- by the plaintiff to the defendant.

2. At this stage, learned counsel for the plaintiff has paid the previous cost of Rs.1000/- in cash to learned counsel for the defendant today in the court. In the interest of justice, no adverse order is being passed today and the plaintiff is granted the last and final opportunity to take requisite steps as per law to bring reply on record before the date already fixed before the Hon'ble Court.

3. It is stated by learned counsel for the defendant that he does not wish to file any rejoinder to the captioned IA.

Since the date before the Hon'ble Court is short, place the captioned IA before the Hon'ble Court on date fixed i.e. 13.09.2024, for further directions.



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4. It is stated by learned counsel for the plaintiff that she has filed an OA for assailing the order dated 07.08.2024 last Saturday i.e. 07.09.2024 and it is not yet listed. She further submits that in view of said Chamber appeal, the cost of Rs.5000/- as imposed vide order dated 07.08.2024 has not been deposited in Advocate's Welfare Fund. Learned counsel for the defendant submits that he has not received copy of the said OA. Needless to say, the plaintiff is directed to do the needful in this regard.

5. It is stated by learned counsel for the defendant that despite the order dated 07.08.2024, he has not been supplied with copy of the additional documents by the counsel for the plaintiff till date. Learned counsel for the plaintiff submits that in the said chamber appeal, the plaintiff has taken stand that copy of additional documents has already been supplied to the defendant and hence, the order dated 07.08.2024 directing the plaintiff to supply additional documents to learned counsel for the defendant so as to give him an opportunity to file rebuttal document in terms of order dated 15.04.2024, has not been complied with. Learned counsel for the defendant submits that he will make necessary submissions in this regard before the Hon'ble Court.

Since the date before the Hon'ble Court is short, the matter may be placed before the Hon'ble Court on date fixed i.e. 13.09.2024, for further directions.

IA no.6011/2024 under Section 151 CPC moved by plaintiff for clarification

6. Again, it is stated by learned counsel for the plaintiff that she has filed chamber appeal assailing the order dated



07.08.2024 and hence, the order dated 07.08.2024 has not been complied with by the plaintiff and learned counsel for the defendant has not been supplied with copy of the captioned IA for enabling him to contest the same.

Since the date before the Hon'ble Court is short, place the captioned IA before the Hon'ble Court on date fixed i.e. 13.09.2024, for further directions.

PRIYA MAHENDRA (DHJS)
JOINT REGISTRAR (JUDICIAL)
SEPTEMBER 9, 2024/ab
Click here to check corrigendum, if any