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

+ **CS(OS) 632/2021**

OM PRAKASH BATRA

.....Plaintiff

Through: **Ms. Anusuya Salwan, Adv.**

versus

MANOJ KUMAR BATRA & ORS.

.....Defendants

Through: **Mr. Sanjiv Kakra, Sr. Adv with Mr.
Anish Chawla and Mr. Pranav
Gambhir Advs for D-1 &2.**

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

% 30.01.2025

**I.A. 19575/2022 (BY PLAINTIFF UNDER ORDER 6, R 17 FOR
AMENDMENT OF PLAINT)**

1. In view of the I.A. 2556/2025, the instant application has been rendered infructuous. Accordingly, the instant application i.e. I.A. 19575/2022 is disposed of.

**I.A 2556/2025 (BY PLAINTIFF UNDER ORDER 6, R 17- FOR
AMENDMENT OF PLAINT)**

2. The reply on behalf of the defendants to this application appears to have been filed. Let the same be taken on record.

3. Heard learned counsel appearing for the parties on this application, learned counsel for the defendant no.1 and 2 has only raised apprehension that under the guise of the present application, the plaintiff should not be allowed to expand the scope of the prayer so as to include the remaining



floors except the ground floor of the property bearing no. Plot No. J-161, B, Rajouri Garden, New Delhi – 110027.

4. The aforesaid apprehension does not seem to be sustainable in view of the explicit prayer proposed to be made by the plaintiff, who clearly confines the scope of the relief to the extent of declaration as sole owner of the ground floor of property Plot No. J-161, B, Rajouri Garden, New Delhi – 110027.

5. In view of the aforesaid, the Court allows the instant application. Let the amended plaint be taken on record.

6. The instant application stands disposed of.

CS(OS) 632/2021 and CC 7/2022, I.A. 15753/2021, I.A. 3322/2022.

7. The defendant nos. 1 and 2 shall be at liberty to file the amended written statement within 14 days from today. Replication, if any, be filed within same period thereafter. All other defendants shall also be at liberty to file the amended written statement.

8. The matter has to be proceeded before the Joint Registrar for taking further necessary action, therefore, list before Joint Registrar on 18.03.2025.

9. Thereafter list this matter before the Court on the date to be assigned by the Joint Registrar.

PURUSHAINDR KUMAR KAURAV, J

JANUARY 30, 2025

aks/sp

Click here to check corrigendum, if any