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

+ **CS(OS) 632/2021, I.A. 3322/2022**

OM PRAKASH BATRA

..... Plaintiff

Through: Ms. Anusuya Salwan, Advocate
through video conferencing.

versus

MANOJ KUMAR BATRA & ORS.

..... Defendants

Through: Mr. Sajiv Kakra, Senior Advocate,
along with Mr. Pranal Gambhir and
Mr. Anish Chawla, Advocates on
behalf of Defendant No.1 and 2.
Mr. Nishant Anand Advocate for Ms.
Renuka Arora, Advocate on behalf of
Defendant No.3.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

08.07.2022

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CS (OS) 311/2022

1. The Counter Claim in terms of the order of the Court dated 19th May, 2022 has been registered separately as Suit No.CS(OS) 311/2022.
2. Learned counsel on behalf of the plaintiff/ (defendant in Counter-Claim) submits that since no Notice has been given of the registration of Counter Claim and there were no specific directions given for filing of written statement, she has not been able to file a written statement. Learned counsel seeks two weeks time to file written statement.



CS(OS) 632/2021

1. Learned counsel for the plaintiff further submits that there is a reference of two documents in the Written Statement, copy of which was not supplied to the plaintiff, on account of which no replication could be filed within 45 days. It is submitted that defendant No.1 and 2 may be directed to supply the copy of the two documents to enable the plaintiff to file the replication.
2. Learned Senior Advocate on behalf of defendant No.1 and 2 has submitted that those two documents do not pertain to the Ground Floor of the property which is the subject matter of the suit in question. It is further submitted that the replication was required to be filed in 45 days. A Notice for production of the two documents along with other documents has been given to defendant No.1 and 2 only yesterday i.e on 07th July, 2022. The time of 45 days given for filing of replication has already lapsed and, therefore, no further time can be given for filing of replication.
3. Learned Senior Advocate has further submitted that though there is a reference to these two documents, but they do not pertain to the suit property and are not relevant for the present suit.
4. The matter be listed before the JR on 16th September, 2022, already fixed, for completion of pleadings.

NEENA BANSAL KRISHNA, J

JULY 8, 2022

va