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

+ **CS(OS) 546/2012**

SUDEEP KUMAR JAIN & ANR Plaintiffs

Through **Ms. Shruti Chaudhri, Advocate**

versus

BINDU JAIN & ANR Defendants

Through **Dr. Veena Sabharwal/Defendant no.3**
in person

CORAM:

SH. RAKESH KUMAR (DHJS), JOINT REGISTRAR
(JUDICIAL)

ORDER

% **16.07.2018**

File has been received from the court of Sh. Anil Kumar, Ld. Joint Registrar (Judicial), who is stated to be on leave today.

IA No. 7050/2018 (application filed by plaintiffs u/O XXII Rule 4 r/w Section 151 CPC)

Despite services, no reply on behalf of defendant no.2, who is the son of deceased defendant no.1, has been filed.

One week time is granted to file the same, if defendant no.2 wishes to file with advance copy to plaintiff.

Defendant no.3 submits that false affidavit of plaintiff in support of above captioned application has been filed, as plaintiff intentionally did not mention the name of defendant no.3 who was already impleaded vide order dated 02.08.2016 by the Hon'ble Court and to this effect amended memo of parties has already been filed by plaintiff.



Ld. counsel for plaintiff submits that application has been filed only in respect to the Legal Heirs of deceased defendant no.1 and sought time to seek instructions in respect of defendant no.3, which is counter opposed.

Heard. Allowed.

Ld. counsel for plaintiff is directed to supply the copy of the application to defendant no.3 within three days. Thereafter, reply, if any, be filed on behalf of defendant no.3 with advance copy to plaintiff.

Put up for further proceedings on **20th July, 2018** before the concerned Ld. Joint Registrar (Judicial).

RAKESH KUMAR (DHJS)
JOINT REGISTRAR (JUDICIAL)

JULY 16, 2018
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