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IN THE HIGH COURT OF DELHI AT NEW DELHI
TEST.CAS. 107/2021
SHRI ROHIT KAUSHIKPetitioner

Through: Mr. Anant Misra & Mr. Hritvik
Verma, Advs.

Versus

STATE & ORS.Respondents

Through: Ms. Rachita Garg & Mr. Agam
Rajput, Advs. For R-1/State
Mr. Abhinav Kumar Dewaliya &
Mr. Rajat Shukla, Advs. for R-2
with R-2 in person
Mr. K. B. Rao, Adv. for R-5
(joined through VC)
Mr. G. K. Kaushik, Mr. Aman
Kaushik & Mr. Abhinav
Kaushik, Advs. for R-6,7&10
Mr. Diwanshu Thakur, Adv. for
R-14
Ms. Nazia Parveen, Adv. for R-
15 to 18 (joined through VC)
Mr. Ankit Raj, Mr. Vikram
Kumar & Mr. Ali Mohammed
Khan, Advs. for R-16
Mr. Mohit Auluck, Adv. for R-19
(joined through VC)

CORAM:
JOINT REGISTRAR (JUDICIAL) MS. PRIYA
MAHENDRA, (DHJS)

ORDER

% 28.03.2025

I.A.No.13123/2022 (under Order VI Rule 17 CPC filed
on behalf of petitioner for amendments in petition) &
I.A.No.13125/2022 (under Order VII Rule 14 151 CPC
for placing on record documents)

1. Pleadings qua respondent no.14 are already complete.
2. No reply to the captioned IA has been filed by



defendant no.19 till date. At this stage, learned counsel for defendant no.19 submits that he does not wish to file any reply to the captioned IAs.

3. As per office note, reply to the captioned IA No.13123/2022 filed by R-2 is on record. It is stated by learned counsel for the petitioner he has not received copy of reply, to which learned counsel for respondent no.2 undertakes to supply the same within two days through email. Thereafter, rejoinder to the same be filed by the petitioner within two weeks with copy to the opposite side.

4. Learned counsel for respondent no.2 seeks some more time to file reply to IA no.13125/2022 on the ground that he has been recently engaged by respondent no.2. In the interest of justice, no adverse order is being passed today and the last and final opportunity is granted to respondent no.2 to file reply to IA no.13125/2022 within two weeks with copy to the opposite side, who is at rejoinder, if any, within two weeks thereafter with copy to the opposite side.

5. Further, replies to the captioned IAs filed by R-6,7&10 are on record. It is stated by learned counsel for the petitioner he has not received copy of reply, to which learned counsel for said respondents undertakes to supply the same within two days through email. Thereafter, rejoinder to the same be filed by the petitioner within two weeks with copy to the opposite side.

6. The respondent no.5 has not taken requisite steps to bring on record the reply to IA no.13125/2022 till date despite the order dated 12.12.2024. No plausible explanation is furnished by respondent no.5 for not taking



steps till date. So, cost of Rs.800/- is imposed upon the respondent no.5 to be deposited with Delhi High Court Legal Services Committee and the last and final opportunity is granted to respondent no.5 to take requisite within two weeks steps to bring said reply on record. It is stated by learned counsel for the petitioner that he has not been supplied with copy of reply from respondent no.5 till date despite the order dated 12.12.2024. In view of submission made, the last and final opportunity is granted to respondent no.5 to supply copy of reply to learned counsel for the petitioner within one week. Thereafter, rejoinder, if any, be filed by the petitioner within two weeks with copy to the opposite side.

7. It is already stated by learned counsel for the respondent no.5 that he does not wish to file any reply to IA no.13123/2022.

8. No reply has been filed till date by respondent no.11 to 13 despite granting time vide order dated 12.12.2024. None is present today on behalf of respondent no.11 to 13 to explain in this regard. So, the right of said respondents to file reply is ordered to be closed.

9. No reply to the captioned IAs has been filed by respondent no.15 to 18 till date despite being granted time vide order dated 12.12.2024. No plausible explanation is furnished for the same. So, the right of said respondents to file reply is ordered to be closed.

10. At this stage, it is stated by learned counsel for the petitioner that it was inadvertently recorded in para no.10 in order dated 12.12.2024 that the petitioner has filed an application under Order I Rule 10 vide diary



no.5858599/2024 but the petitioner has filed an application under Order XXII Rule 10 of CPC vide the said diary number, which was allowed vide order dated 10.03.2025 passed by this court.

11. Amended Memo of Parties filed by the petitioner in terms of order dated 10.03.2025 is on record.

12. At this stage, defendant no.7 present in person has tendered unconditional apology for his misconduct. He is warned to be careful in future.

13. No reply has been filed till date by respondent no.8&9 despite granting time vide order dated 12.12.2024. None is present today on behalf of respondent no.8&9 to explain in this regard. So, the right of said respondents to file reply is ordered to be closed.

14. It is stated by learned counsel for the petitioner that respondent no.3&4 have been served digitally with notice of the captioned IAs and seeks sometime to file Affidavit of Service in this regard. The same be filed within two weeks.

Re-notify the matter for completion of pleadings/further proceedings on

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15. Additional Affidavit filed by the petitioner qua service of respondent no.3&4 with notice of the captioned petition. As per said Affidavit, the respondent no.3&4 have been duly served with notice of captioned petition digitally through Email & Whatsapp both dated 24.12.2024. However, neither any reply has been filed nor anyone is present on behalf of respondent no.3&4 today.



Re-notify the ~~matter~~ for further proceedings on
23.07.2025.

PRIYA MAHENDRA (DHJS)
JOINT REGISTRAR (JUDICIAL)
MARCH 28, 2025/ab

Click here to check corrigendum, if any