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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CS(OS) 623/2022

NUPUR RUSTAGI & ORS.

.....Plaintiff

Through: Mr. Hari Kishan with Mr. Akarsh
Sharma & Mr. Parantap Aggarwal,
Advs.

versus

PRABODH KUMAR RUSTAGI & ORS.

.....Defendant

Through: Mr. Jugal Wadhwa, Mr. Raghav
Goyal & Mr. Rishab Bhalla, Advs.
for D-1 & D-2 (E-mail address:
wwlawoffices@gmail.com and
Mob. No.8171444449) (through
VC).

None for proposed D-4.

None for proposed D-5.

Ms. Santosh Kumar Rout & Ms.
Dharna Veragi, Advs. for proposed
defendant / Punjab National Bank
(email: skrlawfirms@gmail.com)
(through VC).

None for D-3.

Right of D-3 to file WS was closed
vide order dated 11.09.2023.

CORAM:

JOINT REGISTRAR (JUDICIAL) SH. DEVENDER
KUMAR GARG (DHJS)

ORDER

15.02.2024

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Proceedings are being conducted through hybrid mode.

**IA. No. 24497/2023 (by defendants no.1 & 2 u/O I Rule
10 r/w Order VI Rule 17 and Section 151 of CPC for
impleadment of Punjab National Bank as party to the
suit and for amendment of written statement).**



1. It is submitted that the captioned IA is coming up for hearing before the Hon'ble Court on 20.05.2024.
2. No reply to the captioned IA has been filed on behalf of the plaintiff. Time sought. Let the same be filed within two weeks and rejoinder thereto be filed within three weeks thereafter.
3. As per office noting, service report of notice of captioned IA issued to proposed defendant i.e. Punjab National Bank is awaited.
4. Ld. Counsel for proposed defendant/Punjab National Bank submits that she has not received copy of the captioned IA. Ld. Counsel for applicants/defendants no.1 & 2 submits that he will supply the same within one week. Let the same be supplied accordingly. Thereafter, proposed defendant/Punjab National Bank may file reply to the captioned IA within four weeks and rejoinder thereto be filed within two weeks thereafter.
5. The defendants no.1 & 2 is further directed to supply copy of the captioned IA to proposed defendants no.4 & 5 (as mentioned in IA No.21709/2022) within one week.

I.A. No. 21709/2022 (by plaintiff u/O I Rule 10 r/w Order VI Rule 17 CPC for impleadment of proposed defendants no.4 & 5)

6. It is submitted that the captioned IA is coming up for hearing before the Hon'ble Court on 20.05.2024.
7. Perusal of record shows that reply to captioned IA was already filed by defendants no.1 & 2. Ld. Counsel for plaintiff already submitted that he did not wish to file rejoinder to the said reply.



8. Right of defendant no.3 to file reply to the captioned IA was already closed vide order dated 11.09.2023.
9. Reply to the captioned IA was already filed on behalf of proposed defendant no.4. No rejoinder to the said reply has been filed by the plaintiff despite last opportunity. Time sought. Let the same be filed within two weeks.
10. As per office noting, reply to the captioned IA filed on behalf of proposed defendant no.5 has now come on record. No rejoinder to the said reply has been filed by the plaintiff. Time sought. Let the same be filed within two weeks.

I.A. No. 16608/2022 (by plaintiff u/O XXXII Rule 1 of CPC) &

I.A. No. 16607/2022 (by plaintiff u/O XXXIX Rules 1 & 2 of CPC)

11. It is submitted that the captioned IAs are coming up for hearing before the Hon'ble Court on 20.05.2024.
12. Separate replies to the captioned IAs were already filed on behalf of defendants no.1 and 2. Ld. Counsel for plaintiff already submitted that he did not wish to file any rejoinder to the said replies.
13. Right of defendant no.3 to file reply to the captioned IA was already closed vide order dated 11.09.2023.
14. Pleadings qua the captioned IA are already complete.

CS(OS) 623/2022

15. It is submitted that main matter is coming up for hearing before the Hon'ble Court on 20.05.2024.
16. As per office noting, Mediation Report dated 22.1.2024 has been received, as per which, mediation ended as 'Not Settled'.



17. Perusal of record would show that written statement and affidavit of admission/denial of documents already filed on behalf of defendants no.1 and 2.
18. No replication and affidavit of admission/denial has been filed on behalf of the plaintiff qua defendants no.1 and 2.
19. Right of defendant no.3 to file written statement was already closed vide order dated 11.09.2023.
20. It is submitted that applications for impleadment of parties and application for amendment of plaint are pending for consideration.
21. Let the pleadings be completed as per law.
22. At joint request, re-notify the present matter for further proceedings on **24th April, 2024**.

DEVENDER KUMAR GARG (DHJS)
JOINT REGISTRAR (JUDICIAL)

FEBRUARY 15, 2024/v

Click here to check corrigendum, if any