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

+ **CS(OS) 678/2021**

TARUN KUMAR CHAWLA

.....Plaintiff

Through: Mr. Ankit Kumar, Adv.

versus

PREM KUMAR CHAWLA

.....Defendant

Through: Mr. Amit Sanduja & Mr. Saurabh
Chawla, Advs. for D-1.

None for D-2(i), 3 & 4.

Mr. Saurabh Kapoor, Adv. for all
LRs of D-5 (through VC).

CORAM:

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

ORDER

24.03.2023

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**I.A. No.867/2021 (by plaintiffs u/O XII Rule 6 r/w Sec.
151 CPC)**

1. As per office noting, notice of the captioned IA was served upon all defendants.
2. Ld. Counsel for defendant no.1 submits that he has filed reply to the captioned IA vide diary no.536303 dated 22.03.2023. However, the same does not find mention in office noting. Let appropriate steps be taken as per law.
3. Ld. Counsel for LR of defendant no.5 submits that he has filed reply to the captioned IA vide diary no.408541/2023 on 04.03.2023. As per office noting, reply filed vide said diary no. was returned under objection. Let needful in this regard be done.



4. The plaintiff may file rejoinder to the reply of defendant no.1 and defendants no.5(i) to (iii) within three weeks.
5. No reply to the captioned IA was filed on behalf of the defendants no.2 to 4. There is no appearance on behalf of the defendants no.2 to 4.
6. The defendants no.2 to 4 may file reply to the captioned IA within three weeks as last opportunity and rejoinder thereto be filed within two weeks thereafter.
7. Re-notify the captioned IA for completion of pleadings and further proceedings on **28th July, 2023**.

I.A. No.14253/2022 [u/O VIII Rule 10 of CPC by plaintiff for pronouncing judgments against defendants no.5(i) to 5(iii)]

1. Ld. Counsel for LRs no.(i) to (iii) of defendant no.5 has submitted that he has already filed reply to the captioned IA vide diary no.408601/2023 dated 04.03.2023. As per office noting, reply filed by the said diary no. was returned under objection. Let appropriate steps be taken as per law.
2. The plaintiff may file rejoinder to the reply of LRs of the defendant no.5 within four weeks.
3. Re-notify the present matter for completion of pleadings and further proceedings on **28th July, 2023**.

I.A. No.16517/2021 (by plaintiff u/O XXXIX Rule 1 & 2 CPC)

1. No separate reply to the captioned IA filed on behalf of defendant no.1 and he adopted his written statement as reply to the captioned IA.
2. Ld. Counsel for defendants no.2(i), 3 & 4 had already submitted that the said defendants did not wish to file any reply to the captioned IA.



3. Ld. Counsel for LR defendant no.5 submits that he had filed reply to the captioned IA vide diary no.408643 dated 04.03.2023. As per office noting, reply filed by the said diary no. was returned under objection. Let needful in this regard be done.
4. The plaintiff may file rejoinder to the reply of LRs of the defendant no.5 within four weeks.
5. Re-notify the captioned IA for completion of pleadings and further proceedings on **28th July, 2023**

CS(OS) 678/2021

1. Written statement and affidavit of admission/denial of documents already filed on behalf of the defendant no.1.
2. Written statement and affidavit of admission/denial of documents already filed on behalf of the defendants no.2 to 4.
3. As per office noting, written statement filed on behalf of LRs of the defendant no.5 vide diary no.1852004 dated 04.03.2023 is still under objection. Let appropriate steps be taken as per law.
4. Office noting reveals that affidavit of admission/denial of documents was filed on behalf of defendants no.5(i) to 5(iii) vide diary no.408703 dated 17.01.2023.
5. As per office noting for 17.01.2023, replication and affidavit of admission/denial of documents filed by the plaintiff qua defendant no.1 vide diary no. 1063667 dated 05.12.2022 have now come on record.
6. No replication has been filed on behalf of plaintiff qua defendants no.2 to 4. Some more time has been sought. Let the same be filed as per law.
7. Ld. Counsel for plaintiff had submitted that no affidavit



of admission/denial of documents was filed by him qua defendants no.2 to 4 as no documents was filed on behalf of the said defendants.

8. Office noting reveals that replication to written statement of defendants no.5(i) to 5(iii) was filed on behalf of the plaintiff on 21.01.2023.
9. Affidavit of admission/denial of documents not filed by plaintiff qua defendants no.5(i) to 5(iii). Time sought. Let same be filed within four weeks as last opportunity.
10. IA filed vide diary no.1852007 dt. 03.11.2022 has yet not come on record. Let needful in this regard be done.
11. Office noting further indicates that vakalatnama filed vide diary no.100863 dated 21.1.2023 was returned under objection. Let appropriate steps be taken as per law.
12. Ld. Counsel for defendant no.1 has submitted that the plaintiff has referred the plaintiff somewhere as 'Tarun Kumar Chawla' and somewhere as 'Tarun Chawla'. Ld. Counsel for plaintiff seeks time to clarify with respect to the name of plaintiff. Let needful in this regard be done.
13. Re-notify the matter for completion of pleadings and further proceedings on **28th July, 2023**.

**DEVENDER KUMAR GARG (DHJS)
JOINT REGISTRAR (JUDICIAL)**

14. At this stage, Mr. Sumit Sarna, Adv. for D-2(i), 3 & 4 has appeared through VC and he has been apprised about today's proceeding and next date of hearing.

**DEVENDER KUMAR GARG (DHJS)
JOINT REGISTRAR (JUDICIAL)**

MARCH 24, 2023/v

[Click here to check corrigendum, if any](#)