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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CS(OS) 678/2021

TARUN KUMAR CHAWLA & ORS.

.....Plaintiff

Through: Mr. Sidharth Joshi, Mr. Ambareen,
Ms. Nidhi Sharma & Mr. Vikrant,
Advs. (through VC).

versus

PREM KUMAR CHAWLA & ORS.

.....Defendant

Through: Mr. Amit Sanduja, Mr. Saurabh
Chawla, Ms. Skashi Singh & Mr.
Tushar, Advs. for D-1.

Mr. Sumit Sarna, Adv. for D-2 to 4
(through VC).

Mr. Saurabh Kapoor, Adv. for all
three LR's of D-5 (through VC).

CORAM:

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

ORDER

30.01.2024

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Proceedings are being conducted through hybrid mode.

**I.A. No. 16517/2021 (by plaintiff u/O XXXIX Rules 1 & 2
r/w Section 151 of CPC) &**

**I.A. No. 867/2023 (by plaintiff u/O XII Rule 6 r/w Section
151 of CPC)**

1. It is submitted that the captioned IAs are coming up for
hearing before the Hon'ble Court on 07.05.2024.

**I.A. No. 22873/2023 (by defendant no.1 u/O VIII Rule
1(A) & 3 r/w Section 151 CPC)**

2. Ld. Counsel for plaintiff submits that she has filed reply
to the captioned IA on 29.01.2023.



3. Ld. Counsel for LRs of defendant no.5 has submitted that he has also filed reply to the captioned IA on 24.01.2024.
4. However, the above said replies of plaintiff and LRs of defendant no.5 are not on record. Let appropriate steps be taken as per law for getting the same placed on record.
5. The defendant no.1 may file rejoinder within four weeks after receiving copy of the reply.
6. Ld. Counsel for defendants no.2 to 4 has submitted that they will adopt reply filed on behalf of plaintiff.

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

7. Pleadings qua the captioned IA are complete.

I.A. No. 10968/2023 (by defendants no.5(ii) & 5(iii) u/S 5 of Limitation Act r/w Section 151 CPC for condonation of delay of 123 days in filing written statement);

I.A. No. 10969/2023 (by defendant no.5(i) u/S 5 of the Limitation Act r/w Section 151 CPC for condonation of delay of 123 days in filing written statement);

I.A. No. 10970/2023 (by defendants no.5(i) to 5(iii) u/S 5 of Limitation Act r/w Section 151 CPC for condonation of delay of 159 days in re-filing IA Nos.10968/2023 and 10969/2023)

8. Separate replies to the captioned IAs already filed on behalf of plaintiff.
9. Ld. Counsel for LRs of defendant no.5 have submitted that he has filed rejoinder to the above said replies on 24.01.2024. However, the same are not on record. Let appropriate steps be taken as per law.

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10. Pleadings qua defendants no.1 to 4 are already complete.
11. Perusal of record shows that written statement alongwith



affidavit of admission of documents were filed by the defendants no.5(i) to (iii). However, applications seeking condonation of delay in filing written statement on behalf of defendants no.5(i) to (iii) are pending for consideration.

12. Perusal of record shows that replication was also filed by the plaintiff qua defendants no.5(i) to (iii). However, written statement on behalf of defendants no.5(i) to (iii) has not come on record till date.

13. Let the pleadings be completed as per law.

14. Re-notify the matter for further proceedings on **09th April, 2024.**

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

JANUARY 30, 2024/v

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