



\$~9

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

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

TARUN KUMAR CHAWLA & ORS.

.....Plaintiff

Through: Mr. Sidharth Joshi with Ms. Nidhi
Sharma, Mr. Ambareen, Advs.

versus

PREM KUMAR CHAWLA & ORS.

.....Defendant

Through: Mr. Amit Sanduja, Ms. Sakshi
Singh, Mr. Tushar Batra and Mr.
Saurabh Chawla, Advs. for D-1
(email: amitsanduja99@gmail.com)

Advocate for D-2 to 4 (appearance
not given).

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

CORAM:

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

ORDER

26.04.2024

%

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. As per office noting, reply to the captioned IA filed on
behalf of the plaintiffs has now come on record.



3. Ld. Counsel for defendants no.2 to 4 already submitted that they intend to adopt reply filed by the plaintiff. Let reply filed by the plaintiff be also read for defendants no.2 to 4.
4. No rejoinder to the above said reply has been filed by the defendant no.1. Time sought. Let the same be filed within two weeks.
5. Ld. Counsel for LRs of defendant no.5 submits that he has filed reply to the captioned IA vide diary no.169396/2024. However, the same is not on record. Let needful in this regard be done. Report be also called from Registry in this regard for next date of hearing.

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

6. 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)

7. Arguments on the captioned IAs have been heard from both sides.
8. Both the parties may file judgments in support of the captioned IAs within three working days.
9. Re-notify the captioned IAs for clarification, if any/order on next date of hearing.



CS(OS) 678/2021

10. Pleadings qua defendants no.1 to 4 are already complete.
11. Perusal of record shows that affidavit of admission/denial of documents were already filed by the defendants no.5(i) to (iii). However, written statement filed on behalf of LRs of defendant no.5 vide diary no.1852004/2022 is lying under objection. 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. Affidavit of admission/denial with respect to documents of defendant no.1 was already filed on behalf of LRs of defendant no.5 vide diary no.169396/2024.
14. Let the pleadings be completed as per law.
15. Re-notify the matter for completion of pleadings and further proceedings on **04th May, 2024**.

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

APRIL 26, 2024/v

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