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

+ **CS(OS) 635/2022 & I.A. Nos. 16827/2022, 16828/2022 & 16829/2022**

SMT. NEELAM SHOKEEN @ MONA Plaintiff

Through: Mr. Sahil Goel, Advocate with
plaintiff in person.

(M): 8750188345

Email: goel.sahil1611@gmail.com

versus

SMT. KRISHNA DEVI & ORS. Defendants

Through: None.

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

% **17.10.2022**

I.A. No. 16828/2022 (Application under Section 151 CPC on behalf of applicant/plaintiff for exemption from filing title documents)

1. This is an application under Section 151 CPC on behalf of applicant/plaintiff for exemption from filing title documents.
2. Learned counsel for plaintiff submits that plaintiff is in possession of title documents with respect to one property and has already applied for obtaining the certified copy of the same.
3. Recording the undertaking on behalf of plaintiff that the certified copy of title documents shall be filed before this Court within a period of six weeks, the present application is disposed of.

I.A. No. 16829/2022 (Application under Section 151 CPC seeking condonation of delay in re-filing of present suit)



4. This is an application under Section 151 CPC seeking condonation of delay in re-filing the present suit.

5. As per present application, there is a delay of 3 days in re-filing. However, from the record, it is seen that initial filing in the present suit was on 05.07.2022 and suit was returned under objections on 08.07.2022. Thereafter various objections have been marked in the present suit. Thus, it is submitted that there has been delay in re-filing the present suit.

6. Considering the submissions made before this Court, the present application is allowed and the delay in re-filing the present suit is condoned.

7. The application is disposed of.

CS(OS) 635/2022

8. Let the plaint be registered as a suit.

9. Issue summons to the defendants through all modes upon filing of process fee.

10. The summons to the defendants shall indicate that a written statement to the plaint shall be positively filed within 30 days from the date of receipt of summons. Along with the written statement, the defendants shall also file an affidavit of admission/denial of the documents of the plaintiff, without which the written statement shall not be taken on record.

11. Liberty is given to the plaintiff to file a replication within 15 days of receipt of the written statement. Along with the replication, if any, filed by the plaintiff, an affidavit of admission/denial of the documents of the defendants, be filed by the plaintiff, without which



the replication shall not be taken on record.

12. List before the Joint Registrar for marking of exhibits on 5th December, 2022.

I.A. No. 16827/2022 (Application under Order XXXIX Rule 1 & 2 read with Section 151 CPC on behalf of plaintiff for exparte Ad-interim relief)

13. This is an application under Order XXXIX Rule 1 and 2 read with Section 151 CPC on behalf of plaintiff for exparte ad-interim relief.

14. Issue notice to the defendants.

15. Reply be filed within four weeks. Rejoinder thereto, if any, be filed within two weeks thereafter.

16. Re-notify the captioned application before Joint Registrar on 05.12.2022 for completion of pleadings.

MINI PUSHKARNA, J

OCTOBER 17, 2022

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