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IN THE HIGH COURT OF DELHI AT NEW DELHI

CS(OS) 703/2021

SANTOSH DAHIYA

.....Plaintiff

Through: Mr. S. C. Singhal & Mr. Parth
Mahajan, Advs.

versus

VED PRAKASH & ORS.

.....Defendants

Through: Mr. Raghubir Singh Rana, Adv. for
LRs of D-1

CORAM:

**JOINT REGISTRAR (JUDICIAL) MS. PRIYA
MAHENDRA, (DHJS)**

ORDER

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06.05.2025

**CS(OS) 703/2021 & I.A. No. 17207/2021 (by plaintiff u/O
XXXIX Rules 1 & 2 CPC)**

1. As per office note, fresh Vakalatnama filed on behalf of the plaintiff is on record.

2. The right of defendant no.2 to 30 to file written statement has already been closed.

3. Written Statement filed by LRs of D-1 is allowed to be taken on record vide order dated 28.11.2024. The LRs of D-1 have also filed one document alongwith Written Statement.

4. However, till date, no replication & Affidavit of Admission/Denial of the documents has been filed by the plaintiff. Learned counsel for the plaintiff seeks some time to file the same. Chapter VII Rule 5 of Delhi High Court (Original Side) Rules categorically provides that the Replication is to be filed within 30 days of receipt of Written Statement, which is further extendable by a period not exceeding 15 days. In the judgement of **“Ram Swarup Lugani (supra)**, the Hon'ble High Court of Delhi clearly

held that the aforesaid time period is sacrosanct and cannot be extended by the court. The plaintiff has failed to file

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Replication and Affidavit of Admission/Denial of the documents within the time permissible by law. So, in view of judgment rendered in **“Ram Swarup Lugani & Anr. Vs. Nirmal Lugani & Ors.”**, 2020 SCC OnLine Del 1353, the right of the plaintiff to file Replication & Affidavit of Admission/Denial of the documents to the Written Statements of LRs of defendant no.1 is ordered to be closed.

5. Revised Affidavit of Admission/Denial of the documents filed by LRs of D-1 is on record.

6. The plaintiff has not taken steps for filing of Joint Schedule of the documents. Learned counsel for the plaintiff seeks sometime to file the same on the ground that he has been recently engaged by the plaintiff. In the interest of justice, the last and final opportunity is granted to the plaintiff to file Joint Schedule of the documents. The plaintiff is directed to share draft of Joint Schedule of the documents with learned counsels for the defendants within two weeks. Learned counsels for defendants are directed to either provide their inputs, if any, to the draft of Joint Schedule of the documents or to provide the signed copy of Joint Schedule of the documents to learned counsel for the plaintiff within two weeks thereafter. The plaintiff is directed to file soft copy as well as physical copy of Joint Schedule of the documents within one week thereafter with copy to the opposite side.

7. As per office note, Hard copy of the documents filed by LRs of defendant no.1 is on record.

8. The plaintiff has not filed hard copy of the documents till date. In the interest of justice, the last and final opportunity is granted to the plaintiff to file hard copy of the

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documents of which e-copy already filed on record within three weeks, failing which the plaintiff will deposit cost of Rs.3000/- with Delhi High Court Legal Services Committee.

9. The pleading qua LR of D-1 in the captioned IA are already complete as reflected in the order dated 30.08.2024. Further, the said order dated 30.08.2024 records that remaining defendants except LR of D-1 has not filed any reply to the captioned IA.

Re-notify the matter for marking of exhibits to the documents on 20.08.2025.

**PRIYA MAHENDRA (DHJS)
JOINT REGISTRAR (JUDICIAL)**

MAY 6, 2025/ab

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

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