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

TEST.CAS. 112/2021

RAHUL TALWAR

.....Petitioner

Through: Mr. Jagdish Vatsa, Adv. with  
petitioner in person

versus

STATE AND OTHERS & ORS. ....Respondents

Through: Mr. Divyam Nandrajog, Panel  
Counsel, GNCTD with Mr. Fateh  
Singh Bhullar, Adv. for  
R-1/State  
Ms. Anjali Sisodia, Adv. for R-3  
Mr. Shivain Vaidialingam, Adv.  
for R-4,5,6&10  
None for R-2, 8A & 9

**CORAM:**

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

**ORDER**

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**29.07.2024**

**IA No.22230/2023 (filed on behalf of R-5, under Order  
XXXIX Rules 7 & 10 CPC)**

1. It is already stated by learned counsel for the applicant/respondent no.5 that he also representing the respondent no.4,6&10 and that the said respondents do not wish to file any reply to the captioned IA.

**2. Pleadings qua petitioner are already complete.**

3. Reply to the captioned IA has not been filed by respondent no.3 till date despite granting the last and final opportunity to the said respondents vide order dated 22.01.2024. Learned counsel for the defendant no.3 seeks some time to file the same. Opposed. Heard and record perused. Sufficient time has already been given to the respondent no.2 to file reply to the captioned IA as the matter was last listed on 22.01.2024 but till date no reply has been filed by respondent no.2 for which no plausible explanation is furnished by respondent no.2. Hence, the



right of respondent no.3 to file reply is ordered to be closed.

4. No reply to the captioned IA has been filed by respondent no.3 till date despite granting the last and final opportunity to the said respondents vide order dated 22.01.2024. None is present on behalf of respondent no.3 today also. So, the right of defendant no.3 to file reply is ordered to be closed.

5. No reply to the captioned IA has also been filed by respondent no.8A & 9 also till date despite granting two weeks' time to the said respondents vide order dated 22.01.2024. None is present on behalf of respondent no.8A & 9 today also. So, the right of defendant no.8A and 9 to file reply is also ordered to be closed.

6. As per office note, the defendant no.8A & 9 have filed Affidavit with their correct address. The same is taken on record.

7. At request, place the captioned IA before the Hon'ble Court on date already fixed i.e. 12.08.2024, for further directions.

**TEST.CAS. 112/2021**

9. As per office note, Amended Memo of Parties filed by the petitioner in terms of order dated 22.01.2024, is on record.

10. As per record, Valuation Report dated 13.07.2022 is already on record. Citations have been duly published in newspapers "Jansatta" and "Statesman" both dated 28.01.2022.

**11. Pleadings qua respondent no.2,3,4,5,6&10 in the petition are already complete.**



12. It is already stated by learned counsel for the respondent no.8&9 that respondent no.8&9 wants to adopt the reply/objections already filed by the respondent no.2 and also adopt Affidavit of Admission/Denial of documents filed by the respondent no.2.

13. The reply filed by the respondent no.5 & 10 to the objections of respondent no.2&3 was taken on record vide order dated 31.05.2023.

14. The respondent no.3 has not complied with the order dated 22.01.2024 as neither the respondent no.3 has filed rejoinder to the reply of respondent no.5&10 nor paid cost of Rs.4000/- to respondent no.5&10. No plausible explanation is furnished by learned counsel for the respondent no.3 for not complying the said order till date. So, the right of respondent no.3 to file rejoinder to the reply of respondent no.5&10 is ordered to be closed.

15. The right of respondent no.2 to file rejoinder has already been ordered to be closed.

16. It is already stated by learned counsel for the respondent no.8(A) and 9 that respondent no.8(A) does not wish to file any rejoinder to the reply of respondent no.5&10.

17. As per office note, rejoinder on behalf of respondent no.9 to the reply of respondent no.5&10 to objections of respondent no.2, is on record. However, cost of Rs.3000/- out of which Rs.1500/- each to be paid to the petitioner and respondent no.5&10, imposed upon the respondent no.9 vide order dated 22.01.2024 has not been paid by said respondent. None is present on behalf of respondent no.9 today. So, respondent no.9 is directed to pay the said cost



in terms of said order within two weeks as a last and final opportunity.

18. As per office note, Reply/Objections alongwith Affidavit of Admission/Denial of the documents filed by respondent no.8A is on record. However, the respondent no.8A has not deposited the cost of Rs.1000/- in Delhi High Court Legal Services Committee imposed vide order dated 22.01.2024. None is present on behalf of respondent no.8A today in the court to explain in this regard.

20. At this stage, it is pointed out by learned counsel for the petitioner that the Objections alongwith Affidavit of Admission/Denial of the documents filed by respondent no.8A cannot be taken on record and is liable to be removed as respondent no.8 has already adopted objections filed by respondent no.2 and respondent no.8A has only stepped into the shoes of respondent no.8. He seeks time to raise this objection by filing an appropriate application. Let needful be done as stated with copy to the opposite side. On receipt of said IA, the respondent no.8A is at liberty to file reply, if any, to said IA within two weeks with copy to the opposite side, who is at liberty to file rejoinder, if any, within two weeks thereafter with copy to the opposite side.

21. Re-notify the matter for further proceedings on 15.10.2024.

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

**JULY 29, 2024/ab**

*Click here to check corrigendum, if any*