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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **TEST.CAS. 112/2021**
RAHUL TALWARPetitioner

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

Versus

STATE AND OTHERS & ORS.Respondents

Through: Mr. Abhishek Yadav, Adv. for
Ms. Avni Singh, Panel Counsel
for GNCTD/State/R-1.
Ms. Neha Jain, Adv. for R-2&3.
Mr. Shivain Vaidialingam, Adv.
for R-4,5,6&10
(Mob.9873432071).

CORAM:

**JOINT REGISTRAR (JUDICIAL) MS. PREETI
PAREWA, (DHJS)**

ORDER

% **17.03.2026**

**IA No.10063/2025 under Section 151 CPC moved by
respondent no.5&10 seeking directions.**

1. By way of the captioned IA, the Respondent No. 5 & 10 seek permission to file a response to the Rejoinder dated 19.01.2024 filed by Respondent No. 9.
2. Briefly stated, the record reveals that objections to the petition at hand were filed by various respondents. Respondent No. 9 filed a rejoinder dated 19.01.2024 to the responses submitted by Respondent No. 5 & 10, wherein certain allegations have been made against them. It is the case of the applicants that these averments are new in nature and necessitate a response, failing which, the same would remain unrebutted on record.
3. Learned counsel for the applicants has submitted that the right to respond flows from principles of natural justice, particularly when fresh allegations are introduced at the stage of rejoinder. It is contended that unless an



opportunity is granted, ~~then~~ as prejudice would be caused to the applicants.

4. *Per contra*, the right of the defendant no.8A & 9 to file reply to the above-captioned IA has already directed to be closed and learned respective counsels for the plaintiff and respondent no. 3 have not filed any reply to the captioned IA.

5. I have heard the submissions and gone through and gone through the case record.

6. It is observed from the record that pleadings in the matter are substantially complete. The objections, responses and Rejoinders have already been filed, and the matter has progressed considerably.

7. The prime question that arises for consideration is whether additional pleadings beyond the prescribed stages should be permitted in the present case or not.

8. In the case at hand, the Rejoinder dated 19.01.2024 filed by Respondent No. 9 is in response to the objections already filed by Respondent Nos. 5 and 10. The applicants have not demonstrated, with specificity, that wholly new and previously unforeseen facts have been introduced which could not be addressed at the appropriate stage. The present IA appears to be an attempt to further elaborate or rebut matters which are already part of the pleadings.

9. In view of the above, this Court finds no sufficient ground for permitting filing of an additional response/sur-rejoinder at this stage.

10. Accordingly, the above captioned IA is **dismissed**.

11. It is, however, clarified that:

(i) The applicants shall be at liberty to address



any new averments made in the rejoinder during the course of evidence and final arguments; and

(ii) No prejudice shall be caused to the applicants merely on account of non-filing of a response to the Rejoinder.

12. The captioned IA stands **disposed of** in the above terms.

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13. 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.

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

15. The respondent no. 8A&9 have already adopted the reply/objections and the Affidavit of Admission/Denial of documents, filed on behalf of respondent no. 2.

16. 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.

17. Further, the right of respondent no.3 to file rejoinder to the reply of respondent no.5&10 has already been directed to be closed.

18. The right of respondent no.2 to file rejoinder has already been directed to be closed.

19. 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.



20. As per record, ~~Per~~ order on behalf of respondent no.9 to the reply of respondent no.5&10 to objections of respondent no.2, is already on record.

21. The respondent no.8A has not filed proof of cost of Rs.1,000/- directed to be deposited with Delhi High Court Legal Services Committee in terms of order dated 15.10.2024 till date. Let the same be filed positively, before the next date of hearing with the Registry, as a last opportunity.

22. Vide separate order of even date, an application bearing No. 10063/2025 filed by respondent no.5&10 seeking directions has been dismissed.

23. Re-notify the matter for further proceedings on 13.07.2026.

PREETI PAREWA (DHJS)
JOINT REGISTRAR (JUDICIAL)
MARCH 17, 2026/bs