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

+ **CS(OS) 673/2022**

AJAY CHADDHA

.....Plaintiff

Through: Ms. Sudershani Roy, Adv. for the
plaintiff (through VC).

versus

SANJAY CHADDHA

.....Defendant

Through: Ms. Bhavya Jain, Adv. for the
defendant (through VC).

CORAM:

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

ORDER

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15.01.2024

**I.A. 17792/2022 (by plaintiff u/O XXXIX Rules 1 & 2 of
CPC) &**

I.A. 17793/2022 (by plaintiff u/O II Rule 2 of CPC)

1. Right of the defendant to file reply to the captioned IAs
was closed vide order dated 02.11.2023.

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2. As per office noting, vakalatnama filed on behalf of the
defendant vide diary no. 194423 dated 01.11.2023 has
come on record.

3. Office noting further shows that written statement filed
on behalf of defendant vide diary no. 655287/2023 is still
lying under objection and written statement filed vide
diary no. 1994461 dated 01.11.2023 was also returned
under objection. The applications filed by the defendant
on 01.11.2023 were also returned under objection.



4. Ld. Counsel for defendant seeks some more time for taking appropriate steps for getting the same placed on record.
5. Ld. Counsel for plaintiff has submitted that vide order dated 21.04.2023, application for amendment of plaint was allowed and defendant was given four weeks time to file written statement to the amended plaint. However, written statement to the amended plaint filed on behalf of the defendant has not come on record till date. He has further submitted that written statement to the original plaint has also not come on record till date. He has further submitted that statutory period for filing written statement by the defendant has already expired and hence, right of the defendant to file the same may be closed.
6. Heard. Perusal of record shows that written statement to the original plaint filed on behalf of the defendant is lying under objection. Perusal of order dated 21.04.2023 would show that the defendant was given four weeks time to file written statement to the amended plaint, but the written statement filed on behalf of the defendant to the amended plaint was also returned under objection and the same has not come on record till date. The defendant has failed to take appropriate steps as per law for getting placed his written statement on record. The statutory period for filing written statement to the amended plaint has already expired. Hence, right of the defendant to file written statement and affidavit of admission/denial of documents stands closed.
7. Ld. Counsel for both the parties have submitted that the matter may be placed before the Hon'ble Court where



they would make their further submissions.

8. At joint request, let the matter be placed before Hon'ble Court for further directions on **11th March, 2024.**

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

JANUARY 15, 2024/v

Click here to check corrigendum, if any