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

+ CS(OS) 532/2019

KAPIL CHADHA & ORS.

..... Plaintiffs

Through: Mr. Anil Sapra, Senior Advocate with Mr. Sandeep Sharma, Ms. Bitika Sharma, Ms. Vrinda Pathak, Mr. Luv Virmani and Mr. Aman Dhyani, Advocates.

versus

GOPAL VERMA & ORS.

..... Defendants

Through: Mr. Jayant Mehta, Senior Advocate with Mr. Debarshi Dutta, Ms. Manvi Adlakha, Mr. Amit Bansal and Ms. Shubhi Pahwa, Advocates for D-1 & 6.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

% 17.12.2021

[VIA HYBRID MODE]

CS(OS) 532/2019

1. The Court has heard Mr. Anil Sapra, Senior Advocate and Mr. Sandeep Sharma, Advocate appearing on behalf of the Plaintiffs, on the issue of summons. There is no document shown to the Court which has been authored by the Defendants No. 2, 3, 4, 5, 7, 8 and 9. The court finds no cause of action disclosed *qua* them that would require adjudication. Accordingly, the Court is not inclined to issue summons to the said Defendants.

2. Let the plaint be registered as a suit. Issue summons to Defendants No. 1 & 6. Mr. Debarshi Dutta, counsel accepts summons on behalf of Defendants No. 1 & 6.

3. The written statements shall be filed by the Defendants within the period prescribed in the Code of Civil Procedure, 1908, commencing from today. Along with the written statement, the Defendants shall also file an affidavit of



admission/denial of the documents of the Plaintiffs, without which the written statements shall not be taken on record.

4. Liberty is given to the Plaintiffs to file a replication within 15 days of the receipt of the written statement. Along with the replication, if any, filed by the Plaintiffs, an affidavit of admission/denial of documents of the Defendant, be filed by the Plaintiff, without which the replication shall not be taken on record. If any of the parties wish to seek inspection of any documents, the same shall be sought and given within the timelines.

5. List before the Joint Registrar for marking of exhibits and completion of pleadings on 25th February, 2022. It is made clear that any party unjustifiably denying documents would be liable to be burdened with costs.

6. List before Court for framing of issues thereafter.

7. *En bloc* date of 10th January, 2022 before Court, stands cancelled.

I.A. 15938/2021 (u/Order 39 Rule 1 & 2 r/w Section 151 of Code of Civil Procedure, 1908, on behalf of the Plaintiffs seeking injunction against the defendants from sending defamatory communication about the plaintiffs to third parties)

8. Issue notice. Mr. Debarshi Dutta, counsel accepts notice on behalf of Defendants No. 1 and 6.

9. Let reply be filed before the next date of hearing.

10. List before the Joint Registrar on 25th February, 2022, for completion of pleadings.

SANJEEV NARULA, J

DECEMBER 17, 2021

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