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

+ **CS(OS) 683/2023**

MRS. MANJULA NAYAR

.....Plaintiff

Through: Mr. Sharat Kapoor, Mr. Shubh
Kapoor, Mr. Suyash Kumar, Ms.
Bhavyah Garg, Advs.

versus

MR. SHUROJIT BHOWMICK & ORS.

.....Defendants

Through: Ms. Puja Shaw, Adv. for D1 & 2
along with D1 in person
D4 in person
Mr. Anirudh, Adv. for D5 to 7

CORAM:

DR. JAGMINDER SINGH (DHJS) JOINT REGISTRAR (JUDICIAL)

ORDER

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23.07.2024

CS(OS) 683/2023

As per learned counsel for defendant no. 5 to 7, he had already filed the affidavits on behalf of defendant no. 5 to 7 that they are supporting the stand of plaintiff vide Diary Nos. 1775137/2024, 1775145/2024 & 1775142/2024, all dated 03.06.2024. However, as per the office noting, the same diary numbers pertain to affidavit of service.

Learned counsel further submitted that they do not wish to file separate written statement.

I.A. No. 21186/2023(Application U/O XXXIX Rule 1 & 2)

Reply has already been filed on behalf of defendant no. 1 to 3. Reply has not been filed on behalf of defendant no. 5 to 7 and they do not want to file the same as they are supporting the stance of plaintiff.

Reply has also not been filed on behalf of defendant no. 4 who is appearing in person today.



I.A. No. 24032/2023(Application U/O VII Rule 11 by defendant no. 1 to 3)

Learned counsel for plaintiff submitted that he will file the reply after disposal of the I.A. No. 2037/2024.

I.A. No. 24048/2023(Application U/S 151 CPC by defendant no. 1 to 3)

Learned counsel for plaintiff submitted that he will file the reply after disposal of the I.A. No. 2037/2024.

I.A. No. 2037/2024(Application by defendant no. 1 to 3 U/O XXXII Rule 1 & 15 for appointment of Mr. Dimitra Bhadra as next friend of Mr. Surojit Bhoulmika)

Rejoinder has already been filed.

After hearing some arguments and in view of the objection on behalf of the plaintiff, it is agreed on behalf of defendant no. 1 to 3 that defendant no. 1 to 3 will move fresh application for the appointment of mother of defendant no. 1 as his next friend / guardian.

Hence, let the said application be filed along with the necessary affidavit in compliance of Order XXXII Rule 3(3) with advance copy to the opposite party within one week and to file reply thereafter within one week after receiving of the application.

Hence, put up for further proceedings on 12.09.2024.

**DR. JAGMINDER SINGH (DHJS)
JOINT REGISTRAR (JUDICIAL)**

JULY 23, 2024/sms

Click here to check corrigendum, if any