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

+ **CS(OS) 567/2024**

MR VISHAL GUPTA

.....Plaintiff

Through: Mr. Gaurav Kumar Pandey, Adv.
(through VC).

Versus

SMT RADHA AGGARWAL & ORS.

.....Defendant

Through: Advocate for D-1, 2 and 6 (through
VC) (appearance not given).

Mr. Anshul Mittal & Ms. Khushi
Aggarwal, Adv. for D-4.

Mr. Gaurav Kumar Pandey, Adv.
for D-3 & 5.

D-3 is yet to be served.

CORAM:

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

ORDER

16.10.2024

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Proceedings are being conducted through hybrid mode.

**I.A. No.42038/2024 (by D-1, 2 & 6 u/O XXXIX Rule 4 of
CPC)**

1. It is submitted that the captioned IA is coming up for
hearing before the Hon'ble Court on 20.11.2024.

**I.A. No.41590/2024 (by D-1, 2 & 6 for condonation of
delay of 24 days in filing WS)**

2. As per office noting, service report of notice of captioned
IA is awaited.

3. Ld. Counsel for plaintiff seeks time to file reply to the
captioned IA. Let the same be filed within two weeks and
rejoinder thereto be filed within two weeks thereafter.



CS(OS) 567/2024;

I.A. No. 33998/2024 (by plaintiff for stay) &

**I.A. No. 33999/2024 (by plaintiff u/O XI r/w Section 151
CPC for discovery of documents)**

4. As per office noting, proof of service in compliance of Order XXXIX Rule 3 of CPC has been filed on behalf of the plaintiff vide diary no.2580647/2024.
5. Office noting further shows that affidavit of service u/O XXXIX Rule 3 of CPC has been filed on behalf of the plaintiff vide diary no.2799387/ 2024.
6. In view of the service report, summons have been served upon defendants no.1, 2 and 4 to 6 through ordinary mode.
7. Summons issued to the defendant no.3 through ordinary mode received back unserved with report of no such person.
8. Ld. Counsel for defendants no.3 & 5 entered appearance on behalf of defendants no.3 and 5.
9. As per office noting, written statement and affidavit of admission/denial of documents has been filed on behalf of defendants no.1, 2 and 6. However, an application for condonation of delay in filing the same is pending for consideration.
10. Office noting further shows that vakalatnama has been filed on behalf of defendants no.1, 2 and 6.
11. Office noting further reveals that separate replies to both the captioned IAs have been filed on behalf of defendants no.1, 2 and 6. No rejoinder to the said replies has been filed on behalf of the plaintiff. Time sought. Let the same be filed within four weeks.



- 12.No written statements, affidavit of admission/denial of documents and replies to both the captioned IAs has been filed on behalf of defendants no.3 to 5. Time sought.
- 13.The defendants no.3 to 5 may file their written statement and affidavit of admission/denial of documents as per law with advance copy to the opposite party, who may file replication and affidavit of admission/denial thereafter as per law.
- 14.The defendants no.3 to 5 may file replies to captioned IAs within four weeks and rejoinder thereto be filed within two weeks thereafter.
- 15.Let the pleadings be completed as per law.
- 16.Re-notify the matter for completion of pleadings and further proceedings on **14th November, 2024.**

DEVENDER KUMAR GARG (DHJS)
JOINT REGISTRAR (JUDICIAL)

OCTOBER 16, 2024/v

[Click here to check corrigendum, if any](#)