



2025:DHC:9807

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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: Mr. Aditya Swarup with Ms. Kriti
Gupta, Advs. for D-1, 2 and 6.

None for D-4.

Mr. Vijay Shankar Tiwari, Adv.
for D-3 & 5 (through VC).

CORAM:

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

ORDER

13.01.2025

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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 10.02.2025.

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

2. Ld. Counsel for plaintiff has submitted that he has filed
reply to IA no.42038/2024 and the same may be read as
reply to the captioned IA also. Not opposed. Let reply to
IA No. 42038/2024 filed on behalf of plaintiff, be also
read as reply to the captioned IA.



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3. Ld. Counsel for defendants no.1, 2 & 6 seeks time to file rejoinder to the said reply. Let the same be filed within four weeks.

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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. Perusal of record shows that written statement alongwith affidavit of admission/denial of documents and list of documents with documents were already filed on behalf of defendants no.1, 2 and 6. However, an application for condonation of delay in filing the written statement is pending for consideration.
5. Perusal of record furthers shows replication and affidavit of admission/denial of documents were already filed on behalf of plaintiff qua defendants no.1, 2 and 6.
6. Office noting shows that written statement filed vide diary no.4584679/2024 and 4584619/2024 were returned under objection. Let appropriate steps be taken as per law.
7. Ld. Counsel for defendants no.3 & 5 has submitted that he has filed written statements and affidavit of admission/denial of documents and the same are under objection. Let appropriate steps be taken as per law.
8. Office noting also shows that a consolidated replication to written statements of defendants no.3 & 5 has been filed on behalf of plaintiff vide diary no.4981779/2024. However, written statements on behalf of defendants no.3 & 5 have not come on record till date.
9. No written statement and affidavit of admission/denial of documents has been filed on behalf of defendant no.4. Let



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the same be filed as per law with advance copy to the opposite party, who may file replication and affidavit of admission/denial of documents thereafter as per law.

10. Perusal of record further shows that separate replies to both the captioned IAs were already filed on behalf of defendants no.1, 2 and 6. Ld. Counsel for plaintiff submits that he does not wish to file any rejoinder to the said replies.

11. No reply to the captioned IA has been filed on behalf of defendants no.3 to 5. Let the same be filed within two weeks as last opportunity and rejoinder thereto be filed within two weeks thereafter.

12. Let the pleadings be completed as per law.

13. Re-notify the matter for completion of pleadings and further proceedings on **03rd February, 2025.**

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

JANUARY 13, 2025/v

Click here to check corrigendum, if any