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

+ **CS(COMM) 83/2022, I.A.s 2020-22/2022**

VISHWA AHIMSA SANGH Plaintiff

Through: Mr. Alok Bhachawat, Mr. Uday
Singh, Advocates

versus

PUNJAB NATIONAL BANK Defendant

Through: None

CORAM:

HON'BLE MS. JUSTICE ASHA MENON

ORDER

% **07.02.2022**

[VIA VIDEO CONFERENCING]

I.A. 2021/2022 (Exemption)

1. Allowed, subject to just exceptions.
2. The application stands disposed of.

I.A. 2022/2022 (application filed by plaintiff under Section 151 of the Code of Civil Procedure, 1908 for condonation of delay in re-filing the suit)

3. For the reasons stated in the application, the same is allowed and the delay in re-filing the suit is condoned.
4. The application stands disposed of.

CS(COMM) 83/2022, I.A. 2020/2022 (application filed by plaintiff under Order XV-A read with Section 151 CPC of the Code of Civil Procedure, 1908 seeking deposit of rent in the court during the pendency of the suit)

5. The suit has been filed for recovery of Rs. 2,85,43,162/- (Rupees Two Crores Eighty Five Lakhs Forty Three Thousand One Hundred Sixty Two Only) towards arrears of rent (exclusive of GST), mesne



profits, mandatory injunction for payment of composition fee payable to the L&DO and eviction of the defendant from the suit property, namely, KB-257, Acharya Sushil Ashram, New Rajinder Nagar, Shankar Road, New Delhi-110060.

6. Issue summons in the suit and notice in the application to the defendant by all permissible modes, returnable before the Joint Registrar.

7. The summons shall indicate that the written statement to the suit and reply to the application be filed by the defendant within thirty days from the date of receipt of the summons. The defendant shall also file the affidavit of admission/denial of the document(s) filed by the plaintiff, failing which the written statement shall not be taken on record.

8. The plaintiffs are at liberty to file replication(s) to the written statement and rejoinder(s) to the reply(ies) filed by the defendant within thirty days following the filing of the written statement/reply. The replication(s) shall be accompanied by the affidavit of admission/denial in respect of the documents filed by the defendant, failing which the replication(s) shall not be taken on record.

9. If any of the parties wish to seek inspection of any documents, the same shall be sought and given within the time lines.

10. List before the Joint Registrar for completion of pleadings and service on 19th April, 2022.

11. The order be uploaded on the website forthwith.

ASHA MENON, J

FEBRUARY 7, 2022

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