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IN THE HIGH COURT OF DELHI AT NEW DELHI

CS(OS) 742/2022

SH R.K. KAPOOR

..... Plaintiff

Through: Mr. Sanjay Sehgal, Adv. (joined
through VC)

versus

MRS. SHASHI VOHRA AND ORS Defendants

Through: None for D-1,2,4&5
Mr. V. S. Misra, Adv. for D-7&8
Ms. Divya Rana, Adv. for D-10

CORAM:

**JOINT REGISTRAR (JUDICIAL) MS. PRIYA
MAHENDRA, (DHJS)**

ORDER

% **23.03.2023**

CS(OS) 742/2022

As per office note, the correct/proper Amended Memo of Parties has not been filed by the plaintiff till date. At request, the same be filed by the plaintiff within a week with copy to the opposite side.

On the last date of hearing, the defendant no.1,2,4&5 have sought time to file “*No Objection*” in the captioned matter. However, the same has not been filed by the said defendants. No Written Statement has also been filed by defendant no.1,2,4&5 till date. Even otherwise, none is present on behalf of said defendants today to explain in this regard. Needless to say that law shall take its own course in this regard.

No Written Statement has also been filed by defendant no.3&9 till date despite service of summons on 18.01.2023. There is no appearance on behalf of said defendants today to explain in this regard. So, the right of defendant no.3&9 to file Written Statement is ordered to be forfeited.

On the last date of hearing, one Mr. Sumit Suri,



stated to be husband of the defendant no.6, has joined the proceedings through VC and sought time to file Written Statement. The Written Statement has not been thereafter filed on behalf of defendant no.6. However, as per office note, Service Report qua defendant no.6 has not been received by the Registry. At this stage, it is stated by learned counsel for the plaintiff that he will file Affidavit of Service alongwith tracking reports qua service of defendant no.6 shortly. At request, the same be filed within two weeks.

As per office note, Vakalatnama filed by learned counsel for the defendant no.7&8 is on record. It is stated by learned counsel for the defendant no.7&8 that he has already filed Written Statement vide diary no.515081. However, as per office note, the same is lying under objections but the documents filed by the said defendants are on record. It is stated by learned counsel for the plaintiff that he has received copy of Written Statement, documents and reply to interim application but has not received copy of Affidavit of Admission/Denial of the documents, to which learned counsel for the defendant no.7&8 submits that he has not filed Affidavit of Admission/Denial of the documents and will file the same shortly. Needless to say, Affidavit of Admission/Denial of the documents filed by the defendant no.7&8 shall be made part of the record as per law. The defendant no.7&8 is directed to take requisite steps expeditiously to bring the Written Statement on record.

As per office note, Vakalatnama filed by learned counsel for the defendant no.10 is on record. However, no



status report has been filed by the defendant no.10 till date. It is stated by learned counsel for the defendant no.10 that she has already filed Status Report vide diary no.480662. but the same is not on record. Learned counsel for the defendant no.10 undertakes to check up the same with the Registry and bring the same on record.

The right of the defendant no.11 to file Written Statement has already been ordered to be closed.

In view of above and since the date before the Hon'ble Court is short, the matter be placed before the Hon'ble Court for date already fixed i.e. 28.03.2023, for further directions.

PRIYA MAHENDRA (DHJS)
JOINT REGISTRAR (JUDICIAL)

MARCH 23, 2023/ab

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