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

+ **CS(OS) 752/2022**

MINU SUBBA

.....Plaintiff

Through: **Ms. Aarohi Malik (through
VC) and Mr. Kharanshu
Rana, Advs.**

versus

JYOTI SUBBA & ORS.

.....Defendants

Through: **Mr. Kunal Sabharwal, Mr.
Deepak Mahajan and Mr.
Shubham Madaan, Advs.
for D-1 to 3
Mr. Arjun Agarwal, Adv.
for D-4. (through VC)
Mr. Manish Srivastava,
Mr. Hardik Vasisht and
Mr. Yash Sriwastava,
Advs. for D-5.**

CORAM:

**JOINT REGISTRAR (JUDICIAL) MS. SHUCHI
LALER (DHJS)**

ORDER

27.09.2024

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**IA No. 20269/2022 u/O XXXIX R.1 & 2 CPC by
plaintiff**

1. Pleadings are complete

**IA No. 3681/2023 u/O XXXIX R.4 CPC and IA No.
3816/2023 u/O VII R.11 CPC both by defendant nos.1
to 3**



2. Pleadings are complete

IA No. 11227/2023 u/O 40 CPC by plaintiff

3. Pleadings are complete

I.A. No. 8140/2024 (moved by D-1 seeking DNA testing of plaintiff)

4. Reply has been filed by plaintiff only. No reply has been filed by defendant nos. 2 to 5 despite grant of last and final opportunity to file the same within two weeks on 29.07.2024. Learned counsel for defendant nos. 2 and 3 submits that he is adopting the reply of plaintiff.

5. Learned counsel for defendant no.5 submits that he does not wish to file reply. The right of defendant no.4 to file reply is closed.

6. As per office note, rejoinder to reply of plaintiff filed by defendant no.1. Pleadings are complete.

I.A. No. 7668/2024 (by plaintiff u/O VI Rule 17 of CPC by plaintiff)

7. Reply of defendant nos.1 to 3 is on record. Learned counsel for defendant no.5 submits that he does not wish to file reply to the captioned IA.

8. Vide order dated 29.07.2024, last and final opportunity was granted to defendant no.4 to file reply within two weeks. Reply has not been filed till date. The right of defendant no.4 to file reply is closed.

9. As per office note, rejoinder to reply of defendant nos. 1 to 3 filed by the plaintiff. Pleadings are complete.

O.A. No. 143/2023

10. Pleadings are complete.

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11. The matter is at the stage of admission/denial of



documents. Joint document schedule has not been filed. Learned counsel for plaintiff submits that he has sent the joint document schedule to the defendants for their comments/approval, however, he did not receive the joint document schedule from the defendants.

12. Learned counsels for defendant nos. 4 and 5 submit that they need some time to go through the contents of joint document schedule. Learned counsel for defendant nos.1 to 3 submits that the joint document schedule, which has been supplied to him, is not in accordance with the provisions of law as therein the plaintiff has denied the documents of the defendants whereas he has not filed any affidavit of admission/denial qua the documents of defendants on record. He further submits that the documents at serial number 15 to 31, which have been mentioned in the joint document schedule, were to be filed along with the replication, however, the right of plaintiff to file replication was closed, hence the said documents could not have been incorporated in the joint document schedule.

13. Learned counsel for plaintiff submits that he will make the necessary modifications/corrections and will supply a revised copy of joint document schedule to learned counsels for defendants within two weeks.

14. Joint documents along with its hard copy be filed at least a week prior to the date to be fixed before this court. Hard copy of the documents, which are e-filed, be filed within four weeks. Parties shall produce the original documents on the date to be fixed before this court.

15. The file may be placed before the Hon'ble Court on



the date already fixed i.e. 07.10.2024, for further directions.

**SHUCHI LALER (DHJS),
JOINT REGISTRAR (JUDICIAL)
SEPTEMBER 27, 2024/cd**

Click here to check corrigendum, if any