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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(OS) 865/2023 & I.A. 26049/2023 I.A. 37065/2024**

RASHMI BAHRI

.....Plaintiff

Through: Mr. Akshay Makhija, Sr. Adv. with
Mr. Sachin Mittal and Mr. Satyam
Arora, Advs.

versus

SUNIL SACHDEVA & ORS.

.....Defendants

Through: Mr. Manish Vashisht, Sr. Adv. with
Mr. Attin Shankar Rastogi and Mr.
Adil Vasudeva, Advs. for D-1
Mr. Aditya Mittal, Adv. for D-2
Mr. Gautam Narayan, Sr. Adv. with
Ms. Sanjana Saddy, Adv. for D-3

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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15.07.2025

I.A. 37065/2024

1. This application under Section 5 of the Limitation Act, 1963 read with Section 151 of the Code of Civil Procedure, 1908 ['CPC'], has been filed by the plaintiff seeking condonation of delay of 36 days in filing its replication to the written statement filed by defendant no. 2.
2. In the facts of the case, the Applicant/Plaintiff is praying for condonation of delay of 66 days from the date of receipt of written statement. The pleading in the application that the prayer seeks condonation of 36 days is factually incorrect.
3. The delay in filing the replication cannot be condoned as the relief sought is not permissible and barred in law, keeping in view the judgment of



the Division Bench of this Court in the matter of **Ram Swarup Lugani & Another v. Nirmal Lugani & Others**¹ and in view of Chapter VII, Rule 5 of Delhi High Court (Original Side) Rules, 2018.

4. Even otherwise, this Court is not satisfied that the reasons set out in the application justify condonation.

5. Accordingly, the present application stands dismissed.

CS(OS) 865/2023

I.A. 26049/2023(under Order 39 Rule 1 & 2 CPC)

6. Learned senior counsel appearing for the Plaintiff states that the CFSL report has been received back with findings against the Plaintiff herein. He states that as per CFSL report the signatures of the plaintiff appearing on the disputed documents DW-1/1 to DW-1/6 match with the Plaintiff's admitted signatures. He states that plaintiff has filed the objections to the said CFSL report.

7. On the next date of hearing, this Court will consider initiating perjury proceedings against the Plaintiff in view of the findings in the CFSL report.

8. Learned counsel for Defendant No. 3 states that Defendant No. 3 would like to explore the possibility out of Court settlement with her siblings i.e., the parties to the suit.

9. Learned counsel for the parties are at liberty to consider an out of Court settlement.

10. List for hearing on **17.11.2025**.

MANMEET PRITAM SINGH ARORA, J

JULY 15, 2025/hp/MG

¹ 2020 SCC OnLine Del 1353 at paras 21 to 25