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IN THE HIGH COURT OF DELHI AT NEW DELHI
CS(OS) 1780/2006

DIWAN CHAND ANAND

..... Plaintiff

Through: Mr. P.K. Rawal, Adv.

versus

SHRI DEEP CHAND ANAND AND OTHERS

..... Defendant

Through: Mr. Aditya Garg, Adv. for D-1 to
9 (appeared through VC)
Mr. Arjun Garg, Adv. for D-34A
& 34B (Mobile No.9910922635)
Mr. Jai Sahai Endlaw & Mr.
Karan Kumar, Advs. for
applicant in IA No.11500/2022

CORAM:

JOINT REGISTRAR (JUDICIAL) SH. MANISH
SHARMA, (DHJS)

ORDER

21.02.2023

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**I.A.No.10359/2006 (under Order XXXIX Rule 1 & 2
CPC)**

1. No reply to the captioned IA has been filed.

**I.A.No.13697/2006 (under Order I Rule 10 r/w Section
151 CPC filed on behalf of defendant no.14 to strike out
certain defendants from the array of parties as they are
deceased and to add some persons as defendants in the
array of parties)**

2. No reply to the captioned IA has been filed

**I.A.No.13698/2006 (under Order XXXIX Rule 1 CPC
filed by defendant no.14)**

3. No reply to the captioned IA has been filed.

I.A.No.13699/2006 (under Section 151 CPC filed on



behalf of defendant no.14 seeking exemption from filing original documents)

4. No reply to the captioned IA has been filed.

I.A.No.904/2007 (under Order I Rule 10 and Order XXII Rule 4 r/w Section 151 CPC filed on behalf of plaintiff)

5. Reply to the captioned IA has been filed on behalf of defendant no.3.

I.A.No.9769/2007 (under Order VII Rule 11 CPC filed on behalf of defendant no.2)

6. Reply to the captioned IA has been filed on behalf of plaintiff.

I.A.No.9770/2007 (under Order VII Rule 11 CPC filed on behalf of defendant no.1)

7. Reply to the captioned IA has been filed on behalf of plaintiff.

I.A.No.10104/2007 (under Order VII Rule 11 CPC filed on behalf of defendant no.3)

8. Reply to the captioned IA has been filed on behalf of plaintiff.

I.A.No.12625/2010 (under Section 151 CPC filed on behalf of plaintiff)

9. Perusal of record reveals that the captioned IA has already been allowed vide order dated 20/09/2010, however on 21/03/2011, the application was again taken up. Learned counsel for plaintiff submits that he will inspect the court record and make appropriate submission on the next date.

I.A.No.6945/2011 (under Section 5 of Limitation Act r/w Section 151 CPC filed on behalf of the applicants)



10.No reply to the captioned IA has been filed.

I.A.No.19882/2022 (under Order XII Rule 6 r/w Section 151 CPC filed on behalf of the plaintiff)

11.The captioned IA is coming up before the Hon'ble Court on 13/03/2023.

12.Learned counsel for the defendant no.1 to 9 and defendant no.34A & 34B submit that they have not received copy of the captioned IA. Let copy be supplied within two days.

13.Learned counsel for the plaintiff as well as learned counsels for defendant no.1 to 9 and defendant no.34A & 34B submit that the captioned IA may be placed before the Hon'ble Court on the date already fixed and they will make appropriate submissions before the Hon'ble Court.

I.A.No.11500/2022 (under Order XXII Rule 4 r/w Section 151 CPC filed on behalf of legal heirs of defendant no.34 seeking impleadment)

14.As per office note, nothing fresh has been filed. Notice could not be issued as PF not filed.

15.Reply to the captioned IA has not been filed by the plaintiff.

16.Learned counsel for legal heirs of defendant no.34 submits that there is considerable delay in filing the captioned IA and the application may be considered as an application under Order XXII Rule 9 CPC for setting aside the abatement. He further submits that the captioned IA may be placed before the Hon'ble Court on the date already fixed and they will make appropriate submissions before the Hon'ble Court.



17. List the matter before the Hon'ble Court for further directions on the date already fixed i.e. **13th March, 2023.**

MANISH SHARMA, (DHJS)
JOINT REGISTRAR (JUDICIAL)
FEBRUARY 21, 2023/nk
Click here to check corrigendum, if any