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

+ CS(OS) 736/2024 I.A. No. 43492/2024 (by plaintiffs u/O
XXXIX Rules 1, 2, 2A r/w Section 151 CPC)

ANASTASIA MIRJANA JOJIC OBEROI & ORS.

.....Plaintiff

Through: Mr. Swapnil Gupta, Ms. Shivambika
Sinha, Mr. Aadil Singh Bopari, Ms.
Nimita Kaul, Mr. Tarun Mishra, Mr.
Gurveer Lally, Mr. Abhishek Dubey,
Mr. Vaibhav Mendiratta, Ms. Pragya
Dhoundiyal, Advs. for all plaintiffs.

versus

RAJARAMAN SHANKAR & ORS.

.....Defendant

Through: Mr. Shankh Sengupta, Mr. Ribhu
Garg, Mr. Shreyansh Sharma, Mr.
Tanmay Patnaik and Ms. Snigdha
Pal, Advs. for D-1 and 2.

Ms. Amita Gupta Katragadda, Ms.
Surabhi Khattar, Ms. Varalika Dev
& Mr. Manthan Nagpal, Advs. for
D-3.

Mr. Narendra M. Sharma with Ms.
Shubhangi Tiwari, Advs. for D-4
& 9.

Mr. Aseem Chaturvedi, Mr. Aakash
Bajaj, Mr. Shivank Diddi, Ms. Sonia
Ababsi, Ms. Perna Banerjee, Advs.
for D-5 & 6.

Mr. Aman Gupta with Mr. Akarsh
Pandey & Mr. Amogh Rao, Advs.
for D-7 & 8.

CORAM:

**JOINT REGISTRAR (JUDICIAL) SH. DEVENDER
KUMAR GARG (DHJS)**

ORDER

24.03.2025

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Proceedings are being conducted through hybrid mode.



I.As. No. 1037/2025, 1038/2025, 1066/2025 & 1067/2025

1. It is submitted that the captioned IAs are coming up for hearing before the Hon'ble Court on 22.07.2025.

I.A. No. 604/2025 (by D-4 for condonation of delay of 87 days in filing WS);

I.A. No. 607/2025 (by D-8 for condonation of delay of 89 days in filing WS);

I.A. No. 608/2025 (by D-3 for condonation of delay of 89 days in filing reply to IA No. 39245/2024);

I.A. No. 649/2025 (by D-3 for condonation of delay of 89 days in filing WS);

I.A. No. 650/2025 (by D-7 for condonation of delay of 89 days in filing WS);

I.A. No. 651/2025 (by D-9 for condonation of delay of 89 days in filing WS);

I.A. No. 652/2025 (by D-6 for condonation of delay of 89 days in filing WS);

I.A. No. 653/2025 (by D-1 & 2 for condonation of delay of 89 days in filing WS);

I.A. No. 654/2025 (by D-1 & 2 for condonation of delay of 89 days in filing reply to IA No. 39245/2024);

I.A. No. 655/2025 (by D-5 for condonation of delay of 89 days in filing WS).

2. As per office noting, separate replies to the captioned IAs except IAs No.608/2025 and 654/2025 have been filed on behalf of the plaintiff. No rejoinder to the said replies has been filed on behalf of respective applicants.

3. Ld. Counsel for defendants no.5 and 6 seeks time to file rejoinder to the reply of plaintiff qua their IA. Let the same be filed within four weeks.

4. Ld. Counsels for remaining defendants has submitted that they do not wish to file any rejoinder to the replies of the plaintiff qua their respective IAs.

5. Ld. Counsel for plaintiff has submitted that he does not



wish to file reply to IAs No.608/2025 and 654/2025 and would like to argue the same straightaway.

6. At joint request, re-notify captioned IAs for arguments on next date of hearing.

I.A. No. 48003/2024 (by plaintiff u/O VIII Rule 1 of CPC for closing right of defendants to file WS)

7. At request, re-notify the captioned IA for consideration on next date of hearing.

I.A. No. 39245/2024 (by plaintiff u/O XXXIX Rules 1 & 2 CPC)

8. Perusal of record would show that separate replies to the captioned IA were already filed on behalf of defendants no.1 to 6 and 9.

9. It is submitted that separate applications for condonation of delay in filing reply of defendants no.1 & 2 and reply of defendant no.3 are pending for consideration.

- 10.No rejoinder to the above said replies has been filed on behalf of the plaintiff. Time sought. Let the same be filed within four weeks as last opportunity.

- 11.No reply to the captioned IAs has been filed on behalf of the defendants no.7 and 8 despite last opportunity. Some more time has been sought. In the interest of justice, one more opportunity is granted to defendants no.7 and 8 to file their reply within four weeks from today subject to cost of Rs.3,000/- to be paid to the plaintiff and rejoinder thereto be filed before next date of hearing.

I.A. No. 39247/2024 (by plaintiff u/O II Rule 2 CPC)

- 12.Perusal of record shows that separate replies to captioned IA were already filed on behalf of defendants no.5 and 6.

- 13.No rejoinder to the above said replies has been filed on



behalf of the plaintiff. Time sought. Let the same be filed within four weeks.

14.Ld. Counsel for defendants no.4 and 9 submits that she has filed reply to the captioned IA, however, the same has been filed with some delay. Ld. Counsel for plaintiff has submitted that he has no objection if the delay in filing the said reply is condoned. In view of above submissions, delay in filing the said reply is condoned and Registry is directed to take said reply on record if same is complete in other respects. The plaintiff may file rejoinder to the said reply within four weeks.

15.No reply to the captioned IAs has been filed on behalf of the remaining defendants despite last opportunity. Time sought on behalf of defendants no.1, 2, 7 & 8. In the interest of justice, one more opportunity is granted to the defendants no.1 & 2 subject to cost of Rs.3,000/- to be paid to the plaintiff and to defendants no.7 & 8 subject to cost of Rs.3,000/- to be paid to the plaintiff, to file reply to captioned IA within four weeks and rejoinder thereto be filed within two weeks thereafter.

Counter-claim by D-5 (to be numbered)

Counter-claim by D-6 (to be numbered)

16.The captioned counter-claims are listed for consideration today.

17.Ld. Counsel for plaintiff submits that he has received copies of the counter-claim.

18.At joint request, re-notify the captioned counter-claims for consideration on next date of hearing.

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19.As per office noting, written statement and affidavit of



admission/denial of documents have been filed on behalf of the defendant no.6.

20.Perusal of record shows that separate written statements and affidavit of admission/denial of documents were already filed on behalf of remaining defendants.

21.It is submitted that separate applications for condonation of delay in filing written statements on behalf of all the defendants are pending for consideration.

22.Perusal of record further shows that documents with list of documents were already filed on behalf of defendants no.1 & 2, defendant no.3, defendant no.5 and defendant no.6.

23.Ld. Counsel for defendant no.4 has submitted that she has filed documents alongwith written statement and the same are from page no.16 to 160. Registry is directed to place the said documents filed on behalf of the defendants no.4 alongwith written statement in appropriate folder.

24.An application seeking closure of right of defendants to file written statement is pending for consideration on behalf of the plaintiff.

25.Let the pleadings be completed as per law.

26.Re-notify the matter for completion of pleadings and further proceedings on **22nd May, 2025.**

**DEVENDER KUMAR GARG (DHJS)
JOINT REGISTRAR (JUDICIAL)**

MARCH 24, 2025/v

Click here to check corrigendum, if any