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

+ **CM(M) 3833/2024**

SURESH CHAND SHARMA & ORS.

.....Petitioners

Through: Mr. Ikrant Sharma, Advocate.

versus

SUDHA SHARMA AND ANR

.....Respondents

Through: None.

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

% **18.11.2024**

CM APPL. 66763/2024 (for exemption)

Allowed, subject to all just exceptions.

This application stands disposed of.

CM(M) 3833/2024

1. The challenge in the present petition is to the order dated 09.10.2024 passed by the learned District Judge-01, North East, Karkardooma Courts, Delhi in the case titled as **Sudha Sharma and Anr. Vs. Suresh Chand Sharma and Ors.** [CS DJ/326/2023] whereby the right of the petitioner to file an amended written statement was closed.
2. The petitioner is the defendant in the suit for declaration, partition, possession and permanent injunction for suit party filed by the respondent.
3. The learned counsel of petitioner submits that the written statement was filed within stipulated time. Thereafter, the petitioner filed an application under Order VII Rule 11 of the CPC and on his application, the



Court had directed the plaintiff to properly value the relief and pay the appropriate Court fees.

4. It is further submitted that an application filed by the plaintiff under Order VI Rule 17 of the CPC was allowed by the Court on 16.08.2024 but he was not provided the copy of the amended plaint due to which he could not file the amended written statement. Resultantly, vide order dated 09.10.2024, the learned Trial Court closed the right of the petitioner to file his amended written statement.

5. Issue notice of the petition to the respondents through all permissible modes subject to taking necessary steps within a period of two weeks.

6. List on 23.04.2025.

7. The learned Trial Court is directed to adjourn the case subsequent to the date fixed by this Court.

RAVINDER DUDEJA, J

NOVEMBER 18, 2024 /vp