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

+ **CS(COMM) 1045/2024**

KLUSTER LLC & ANR.

.....Plaintiff

Through: Ms. Swapnil Gaur, Adv.
(M- 9897905254)
(swapnilgaur@ralegal.co.in)

versus

MR. DEVAL RAVINDRABHAI BAMBHANIYA & ORS.

.....Defendant

Through: Mr. Milan Vagadiya, Adv.
for D-1 to 3 (through VC)
Mr. Krishnagopal Abhay &
Ms. Rinku, Advs. for D-4
(through VC)
Mr. Abhay Mahajan, Mr.
Shivam Malhotra, Mr. Ishan
Dhamija & Mr. Ashit
Kapoor, Advs. for D-5
(through VC)
Ms. Arushi Mann, Adv. for
D-6 (through VC)
Ms. Saumya & Mr. Abhinav
Bhalla, Advs. for D-7.
Mr. Verdaan Jain & Mr.
Aakashdeep Singh, Advs. for
D-8.
Ms. Mishthi Dubey & Mr.
Abhay Aren, Advs. for D-9.
Mr. Abhishek Shivpuri,
Advs. for proposed D-14.
Ms. Anuradha Dixit & Mr.
Parvesh Kumar, Advs. for
D-18 (through VC)
(M- 8700945881)
Mr. Nakul Sharma & Mr.
Abdul Gaffar, Advs. for
D-25.
(M- 9717499572)

(NakulSharmalawofficial@gmail.com)

Mr. B.S. Randhawa, Adv. for



proposed D-26 (through VC)
Mr. Saurabh Tyagi, Adv. for
proposed D-72 (through VC)



CORAM:

**JOINT REGISTRAR (JUDICIAL), SUDHIR KUMAR
SIROHI (DHJS)**

ORDER

11.09.2025

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Ld. counsel for the plaintiff submits that the mediation has failed between the plaintiff and defendant no. 1 to 3.

The mediation is going on between plaintiff and the defendant no. 4 & proposed defendant no. 11 & 69.

Ld. counsel for the defendant no. 1 to 3 submits that he has filed the written statement, vide dairy no. 262482/2025 but the same is only showing vakalatnama filing as per official noting. Ld. counsel for the defendant no. 1 to 3 is directed to contact the registry, to do the needful. Upon status of written statement, replication if any be filed in accordance with law.

Written statement of defendant no. 5 was taken on record vide order dated 02.04.2025, subject to the payment of costs of Rs. 5,000/- and the said costs as submitted by both the parties was paid on 13.05.2025. Replication has been filed by the plaintiff to the written statement of defendant no. 5, vide diary no. 4244198/2025 as the same was filed on the first day of opening of the Court on 01.07.2025, therefore the same is within prescribed period and be taken on record.

Replication was filed by the plaintiff to the written statement of defendant no. 6 on 02.05.2025 and the costs was cleared by the defendant no. 6 on 02.04.2025 (*Refer: Order dated 02.04.2025*). Ld. counsel for the defendant no. 6 objected that it was not proper filing as the same was not served to defendant no.6. The objections has been removed as per Chapter 4 of Delhi High Court (Original Side)



Rules, 2018 and the replication of the plaintiff to the written statement of defendant no. 6 was filed within prescribed time, therefore the replication of plaintiff to the written statement of defendant no. 6 be taken on record.

Replication of plaintiff to the written statement of defendant no. 9 & 10 as within prescribed time, therefore be taken on record.

The pleadings qua defendant nos. 5, 6, 7, 8 & 9 are complete.

The defendant no. 10 has been deleted from the array of parties, vide order dated 15.07.2025 of the Hon'ble Court. The plaintiff is directed to file the amended memo of parties before the next date of hearing.

Fresh vakalatnama has been filed by proposed defendant no. 72, vide diary no. 6337058/2025. Same be taken on record.

The contesting parties are directed to file the photocopies of their admitted-documents, if not already filed and the joint schedule of the documents.

List the matter for admission-denial and marking of exhibits on **02.12.2025**.

IA No. 8033/2025 (By defendant no. 8 u/o 1 Rule 10(2) r/w Section 151 CPC)

The reply has been filed by the plaintiff. Same be taken on record.

Ld. counsel for the defendant no. 8 submits that he does not want to file any rejoinder.

The pleadings are complete in the said IA.

IA No. 15640/2025 (By plaintiffs u/s 151 CPC for condonation of delay in filing reply to the application u/o 1 Rule 10 CPC)

Ld. counsel for the plaintiff submits that as the defendant no.



10 has been deleted vide ~~order~~ of the Hon'ble Court dated 15.07.2025 and the application is w.r.t. delay in filing the reply Order 1 Rule 10 of defendant no. 10, therefore the application is disposed off as infructuous.

IA No. 16813/2025 (By plaintiffs u/o 11 Rule 12 r/w Section 151 CPC seeking discovery of documents from the defendant no. 7)

Ld. counsel for the plaintiff submitted that the query of the plaintiff stands satisfied qua defendant no. 7, therefore the application may be disposed off.

Hence the application is disposed off as withdrawn.

IA No. 16844/2025 (By defendant no. 6 u/o 1 Rule 10 r/w Section 151 CPC for deletion from the array of parties)

Reply has been filed by the plaintiff, vide diary no. 5264878/2025. Same be taken on record.

Rejoinder, if any be filed within two weeks as per order dated 18.07.2025.

IA No. 16845/2025 (By plaintiff u/o 1 Rule 10 r/w Section 151 CPC seeking impleadment of parties)

Service-affidavit has been filed by the plaintiff, vide dairy no. 6278478/2025 and as per same, the proposed defendant nos. 11 to 78 were served via emails on 22.08.2025.

Reply has been filed by proposed defendant no. 25, vide diary no. 6232538/2025. Same be taken on record.

Reply be filed within two weeks by the remaining proposed defendants, thereafter rejoinder be filed in accordance with law.

Ld. counsel for the plaintiff submits that the settlement talks are going on between the plaintiff and proposed defendant no. 72.



**IA No. 16846/2025 (By defendant no. 7 u/o 1 Rule 10(2) CPC r/w
Section 151 CPC seeking deletion from the array of parties)**

Reply has been filed by the plaintiffs, vide diary no. 5264998/2025. Same be taken on record.

Rejoinder, if any be filed within two weeks.

**SUDHIR KUMAR SIROHI (DHJS)
JOINT REGISTRAR (JUDICIAL)**

SEPTEMBER 11, 2025/jr

Click here to check corrigendum, if any