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

+ **CS(OS) 856/2025**

MRS. HEMANI GUPTA & ORS.Plaintiffs

Through: **Mr. Sunil Dutt Dixit, Advocate.**

versus

SMT. CHARU GUPTA & ORS.Defendants

Through: **Mr. Sanjay K. Pathak with Mr. M.S. Akhtar, Advocates for D2/LAC.
Mr. Kunal Mittal, Advocate for D3.**

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

% 01.12.2025

I.A.29857/2025 (for exemption)

1. Plaintiffs shall file legible/original/certified and clearer copies of exempted documents, compliant with practice rules, before the next date of hearing.
2. The application for exemption is allowed, subject to the plaintiffs granting inspection of the documents filed, as and when required to do so, or filing the original documents at the stage of admission/denial.
3. The application stands disposed of.

I.A.29858/2025 [for exemption u/S 80(2) r.w. S. 151 CPC]

4. For the reasons stated in the application, the same is allowed.
5. The application stands disposed of.

I.A.29856/2025 (u/O XXXIX R 1&2 r.w. S.151 CPC)



6. Issue notice.
7. Mr. Sanjay K. Pathak and Mr. Kunal Mittal, learned counsel accept notice on behalf of defendant nos.2 and 3, respectively.
8. On plaintiffs taking steps, issue notice to the remaining defendants, by all permissible modes, returnable on 09.02.2026.

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9. The plaintiffs sought the following relief:

“(i) pass a decree of declaration in favour of the plaintiffs and against the defendants thereby declaring the Award dated 19.05.2009 (particularly the name of beneficiary as mentioned therein) passed by the Land Acquisition Collector, vide Award No.3/DC(W)/2008-09 under section 11 of the Act as null and void and of no consequences at all as the same had been obtained by the defendant no.1 by way of fraud/misrepresentation, in the interest of justice.”

10. The plaint be registered as a suit. Issue summons. Mr. Sanjay K. Pathak and Mr. Kunal Mittal, learned counsel on behalf of the defendant nos.2 and 3 are present. They confirm the receipt of the suit paperbook and waive the right of formal service of summons.
11. Summons be issued to the remaining defendants, by all permissible modes on filing of process fee. Affidavit of service be filed within two weeks.
12. Written statement(s) shall be filed within thirty days from the receipt of summons. The defendants shall also file affidavits of admission/denial of the documents filed by the plaintiffs, failing which the written statements shall not be taken on record.
13. The plaintiffs are at liberty to file replications thereto within thirty



days after filing of the written statements. The replications shall be accompanied by affidavits of admission/denial in respect of the documents filed by the defendants, failing which the replications shall not be taken on record.

14. It is made clear that any unjustified denial of documents may lead to an order of costs against the concerned party.

15. Any party seeking inspection of documents may do so in accordance with the Delhi High Court (Original Side) Rules, 2018.

16. List before the learned Joint Registrar for completion of service and pleadings, marking of exhibits and admission/denial of documents on 25.03.2026.

PURUSHAINdra KUMAR KAURAV, J

DECEMBER 1, 2025

tr/mj