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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CS(OS) 870/2025

GAUTAM JAIN

.....Plaintiff

Through: Mr. Piyush Kaushik, Adv.

versus

DEV MOHAN GUPTA & ORS.

.....Defendant

Through: Maj. Nirvikar Singh, Ms. Shruti
Arora, Mr. Rajat Sinha & Ms.
Tarini Khurana, Advs. for D-1

CORAM:

**JOINT REGISTRAR (JUDICIAL) SH. SUMIT
DALAL**

ORDER

28.04.2026

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**IA No. 3513/2026 (under Section 151 CPC filed on
behalf of defendant no.1 for condonation of delay in
filing the written statement)**

1. No reply has been filed till date.
2. A last opportunity is sought for filing reply. Allowed.
3. Reply, if any, be filed within two days, with rejoinder, if any, within two weeks thereafter.
4. It is made clear that no further opportunity shall be granted and failure to file reply/rejoinder within the time granted shall result in automatic closure of the right to file the same.

**IA No. 8736/2026 (under Order VII Rule 11 CPC filed
on behalf of defendant no.1 for rejection of plaint)**

5. No reply has been filed till date.
6. Vide order dated 01.04.2026, four weeks' time was



granted to file reply. The said period has not yet expired.

7. Let reply be filed within the time granted, with rejoinder, if any, within the time stipulated thereafter.

IA No. 30251/2025 (under Order XXXIX Rule 1 & 2 CPC)

8. Vide order dated 01.04.2026, delay in filing reply on behalf of Defendant No. 1 was condoned and the reply was taken on record.
9. No reply has been filed on behalf of the remaining defendants. Accordingly, their right to file reply stands closed.

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10. Attention of the Court is drawn to order dated 06.02.2026, whereby the learned predecessor directed issuance of fresh summons of the suit and notice of the captioned IAs to Defendant Nos. 5 to 7 through all permissible modes.
11. Learned counsel for the plaintiff submits that Defendant Nos. 5 to 7 had already been served prior to the said order. It is further pointed out that para 3 of order dated 06.02.2026 records that the service report in respect of Defendant Nos. 5 to 7 was awaited.
12. Record perused. It is found that Defendant Nos. 5 to 7 were served through speed post on 19.01.2026.
13. Accordingly, this Court is satisfied that Defendant Nos. 5 to 7 stand duly served with summons of the suit and notice of the captioned IAs.
14. Clarification is sought regarding service upon Defendant No. 2.



15. Learned counsel for the plaintiff seeks time to inspect the record.
16. Allowed.
17. If, upon inspection, it is found that Defendant No. 2 has not been duly served and no tracking report is available on record, let fresh steps be taken for service upon Defendant No. 2 through all permissible modes, including email.
18. List for further proceedings on **16.09.2026**.

SUMIT DALAL
JOINT REGISTRAR (JUDICIAL)

APRIL 28, 2026/nk