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

+ **CS(OS) 320/2018**

PAWWAN KHANNA

.....Plaintiff

Through: Ms. Purnima Singh, Adv.

versus

DEEPAK BAGGA & ANR.

.....Defendant

Through: None for LR's of D-1.

Mr. Sandeep Dash & Mr. Himani
Singh, Adv's. for D-2.

Mr. Rahul Verma, Adv. for D-3.

Mr. Manish Jha, Adv. for D-4.

CORAM:

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

ORDER

12.12.2022

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I.A. No. 15626/2022

1. It is submitted that the captioned IA was already disposed off vide order dated 22.09.2022 passed by Hon'ble Court. Registry to take note of the same.

I.A. No. 14831/2022, I.A. No. 17693/2022, I.A. No. 19973/2022 & I.A. No. 20002/2022

1. It is submitted that the captioned IAs are coming up for hearing before the Hon'ble Court on 21.02.2023.

I.A.No.17282/2021 (under Order XXII Rule 4 r/w Section 151 CPC filed on behalf of plaintiff)

1. As per office noting for 12.09.2022, affidavit of service alongwith newspapers in respect of LR's of defendant no.1 were filed vide diary no.1443747/2022.
2. Mr. Akhil Bagga, LR of defendant no.1 has also been served by way of publication.



3. There is no appearance on behalf of any of the LRs of the defendant no.1.
4. No reply to the captioned IA filed on behalf of any of the LRs of the defendant no.1.
5. Issue court notice to remaining LRs of the defendant no.1 through counsel for next date of hearing.
6. Let reply to captioned IA be filed by LRs of defendant no.1 within four weeks as last opportunity with advance copy to the opposite party, who may file rejoinder within two weeks thereafter.
7. Re-notify the captioned IA for completion of pleadings and further proceedings on **13th March, 2023**.

I.A. No.6816/2022 (under Order VIII Rule 1 CPC filed on behalf of the defendant no.2 seeking time to file written statement)

1. Ld. counsel for plaintiff submits that she does not want to file any reply to captioned IA and she has no objection if the same is allowed. She has further stated that she has no objection if the written statement is filed on behalf of the defendant no.2 within 30 days from today.
2. Ld. Counsel for defendant no.2 submits that defendant no.2 may be granted time of 30 days for filing written statement on behalf of defendant no.2.
3. For the reasons stated in the application and in view of submissions of the parties, the captioned IA is allowed. The defendant no.2 is directed to file written statement alongwith affidavit of admission/denial of documents within 30 days from today with advance copy to the opposite party.
4. The captioned IA stands disposed off accordingly.



I.A.No.11146/2019 (u/O XXXIX Rule 17 r/w Section 151 CPC filed on behalf of the plaintiff for amendment of plaint;

1. Reply to the captioned IA already filed on behalf of the defendant no.2.
2. At this stage, Ld. Counsel for plaintiff submits that she wishes to withdraw the captioned IA as she has already filed another application under Order VI Rule 17 CPC bearing IA No.20002/2022.
3. Ld. Counsels for parties appearing today submit that they have no objection if the captioned IA is permitted to be withdrawn by the plaintiff.
4. In view of submission of parties, the captioned IA stands dismissed as withdrawn.
5. The captioned IA stands disposed off accordingly.

CS(OS) 320/2018;

I.A.No.8724/2018 (u/O XXXIX Rule 1 & 2 CPC & I.A. No.11205/2019 (u/O XXXIX Rule 1 & 2 CPC)

1. As per office noting for today, amended memo of parties filed vide diary no.1950805 dt. 07.12.2022, was returned under objection. Let needful in this regard be done.
2. Office noting for 01.11.2022 would reveal that two separate vakalatnamas were filed on behalf of proposed defendant no.4 vide diary no.1735674 dated 13.10.2022 and diary no.1818442 dated 27.10.2022.
3. Ld. Counsel for defendant no.4 has submitted that he will take appropriate steps and he will withdraw one of the vakalatnamas. Let needful be done in this regard.
4. The defendants no.3 and 4 may file reply to IA bearing No.8724/2018 within four weeks with advance copy to the opposite party.



5. Ld. Counsel for defendant no.2 has submitted that he has not been served with copy of IA No.8724/2018 and IA No.11205/2019.
6. Ld. Counsel for plaintiff submits that she has already supplied the same, however, without going into any controversy, she will again supply the same within one week from today. Let the same be supplied accordingly.
7. After receiving copy of reply, the defendant no.2 may file reply to captioned IAs within four weeks with advance copy of the opposite party, who may file rejoinder within two weeks thereafter.
8. No written statement has been filed on behalf of the defendants no.3 and 4.
9. The defendants no.3 and 4 may file written statement alongwith affidavit of admission/denial of documents as per law with advance copy to the opposite party, who may file replication and affidavit of admission/denial of documents thereafter as per law.
10. Application regarding impleadment/substitution of LRs of the defendant no.1 is pending consideration.
11. Re-notify the present matter for completion of pleadings, admission/denial and further proceedings on **13th March, 2023.**

DEVENDER KUMAR GARG (DHJS)
JOINT REGISTRAR (JUDICIAL)
DECEMBER 12, 2022/v
[Click here to check corrigendum, if any](#)