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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CS(OS) 2396/2007

SMT. ABHA GUPTA & ANR

.....Plaintiffs

Through: Mr. Danish Aftab Chowdhury,
Adv. (joined through VC)

Versus

SMT. RASHMI NAGRATH & ORS.

.....Defendants

Through: Mr. Aditya Ladha, Adv. for D-2
Mr. amitabh Chaturvedi & Mr.
Ankit Monga, Advs. for D-4,6&7
Mr. Vipin Gogia & Ms. Jaspreet
Gogia, Advs. for proposed LRs
of D-5
Mr. Vivek B. Saharya, Mr.
Shubhit Malhotra & Mr. Nishant,
Advs. for D-12 & LRs of D-13
(Mob.9811156831)
Ms. Arpita Rawat, proxy cl. for
D-14

CORAM:

**JOINT REGISTRAR (JUDICIAL) MS. PRIYA
MAHENDRA, (DHJS)**

ORDER

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18.12.2024

**IA No.48777/2024 under Section 5 of Limitation Act
moved by plaintiffs seeking condonation of delay in
filing reply of proposed LRs of D-5 to IA no.7839/2024**

1. Heard. In view of reasons mentioned in the application, the captioned IA stands allowed as prayed for and the rejoinder filed by the plaintiff to IA no.7839/2024 is allowed to be taken on record. Accordingly, the captioned IA stands disposed of.

**I.A.No.7839/2024 (under Order XXII Rule 4 CPC filed
on behalf of the plaintiff to bring on record the LRs of
defendant no.5)**

2. It is stated by learned counsel for the plaintiffs that



he has already deposited the cost of Rs.2000/- in Delhi High Court Legal Services Committee in compliance of the last order dated 03.10.2024 and will file proof of cost with the registry within one week. Let needful be done as stated.

3. As per record, reply to the captioned IA filed by LRs of D-5 is already on record. The rejoinder to the same filed by the plaintiffs is allowed to be taken on record vide order of even date. However, the same is lying under objections.

4. It be noted that the matter is pending disposal since the year 2007 and despite the same, the plaintiffs have not taken steps for expeditious disposal of the captioned IA. Learned respective counsels for D-2, D-4,6&7 and LRs of D-5 strongly submit that the plaintiffs are intentionally delaying the disposal of the captioned IA with a sole motive to prolong the present matter. The same is denied by learned counsel for the plaintiffs. However, no plausible explanation is furnished by learned counsel for the plaintiff for not removing the objections to the rejoinder till date. So, cost of Rs.6000/- is imposed upon the plaintiffs to be deposited with Delhi High Court Legal Services Committee and now, the last and final opportunity is granted to the plaintiffs to take requisite steps to bring rejoinder within two working weeks.

5. The plaintiffs are also directed to deposit the cost imposed today within one week.

6. Learned respective counsels for the defendant no.2, 1&3, 12, 13 & 14 already submitted that they do not wish to file any reply to the captioned IA as they have no objection to the same.



7. It is already stated by learned counsel for the defendant no.4,6&7 that he also does not wish to file any reply to the captioned IA.

Re-notify the captioned IA for completion of pleadings/consideration on 20.03.2025.

PRIYA MAHENDRA (DHJS)
JOINT REGISTRAR (JUDICIAL)
DECEMBER 18, 2024/ab

Click here to check corrigendum, if any