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IN THE HIGH COURT OF DELHI AT NEW DELHI

CS(OS) 2437/2010

APARNA ASHRAM

.....Plaintiff

Through: Mr. Sanjay Khanna, Ms. Pragya
Bhushan, Mr. Tarandeep Singh
& Ms. Vilakshana Dayma, Advs.

Versus

SHUBH CHINTAK KISHORE & ANRDefendants

Through: Mr. Arvind Kumar & Mr. Manoj
Kumar, Advs. for D-1
Ms. Shobhana Takiar, Standing
Counsel, DDA with Mr. Kuljeet
Singh, Advs. for D-2
(Mob.9810962950)

CORAM:

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

ORDER

% **17.01.2025**

**IA No. 15715/2022 u/O VII R.14 CPC by defendant
no.1**

It is stated by learned counsel for the plaintiff that she has deposited the cost of Rs.5000/- in Delhi High Court Legal Services Committee and also file the proof of cost with the registry. However, the same are not on record. Learned counsel for the plaintiff is directed to take requisite steps to bring the same on record.

Further, the plaintiff has not filed any reply to the captioned IA till date despite the order dated 09.10.2024. It is stated by learned counsel for the plaintiff that the same could not be filed as the signing authority of the plaintiff, Mr. K. S. Pathania, has been arrested in August, 2024 and seeks one more opportunity to file the same. The same is



opposed by learned counsel for the applicant/defendant no.1.

Heard and record perused. It has already been observed that the matter is pending disposal since the year 2010 and further it was clarified in the last order dated 09.10.2024 that no adjournment would be granted to the parties for completion of pleadings today as sufficient opportunities have already been granted. Despite the same, reply has not been filed by the plaintiff to the captioned IA. No plausible ground is furnished for non-compliance of repeated orders by the plaintiff. So, no ground is made to give further opportunity to the plaintiff to file reply. Accordingly, the right of the plaintiff to file reply is ordered to be closed.

On the last date of hearing i.e. 09.10.2024, learned counsel for the defendant no.2 sought time to file reply to the captioned IA, after making the statement as recorded in the order vide order dated 26.07.2024 that the defendant no.2 does not wish to file any reply. Accordingly cost of Rs.4000/- was imposed upon the defendant no.2 on the last date of hearing. However, the said cost has not been deposited upon the defendant no.2 till date. Now, learned counsel for the defendant no.2 again submits that she does not wish to file any reply to the captioned IA and hence, cost may be waived off. However, the conduct of the defendant no.2 does not call for waiver of cost. So, the defendant no.2 is directed to deposit the said cost of Rs.4000/- in Delhi High Court Legal Services Committee within one week and also file proof of cost with the registry.



In view of above and at the request of the applicant/defendant no.1, place the captioned IA before the Hon'ble Court on 13.02.2025, for further directions.

PRIYA MAHENDRA (DHJS)
JOINT REGISTRAR (JUDICIAL)
JANUARY 17, 2025/ab
[Click here to check corrigendum, if any](#)