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

+ **CS(OS) 395/2016**

SH CHARANJIV SINGH GADH

..... Plaintiff

Through: Mr. Mahir Malhotra, Mr. Satish
Kumar and Ms. Smriti Papreja,
Advocates.

versus

SH SARABJIT SINGH & ORS

..... Defendants

Through: Mr. Jagjit Singh, Mr. Preet Singh, Ms.
Kalyani Arora and Mr. Vipin
Chaudhary, Advocates for D-1.
Mr. Pankaj Malhotra, Advocate for
D-2 and 3.
Mr. Naveen Raheja, Advocate for D-
4.
Mr. Mukul Katyal, Advocate for D-7.
Mr. Kshitij Sharda, Advocate for D-8.
Mr. Suresh Sharma, Advocate for D-9
and 10.

CORAM:

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

ORDER

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01.06.2022

**IA No.8929/2021 (u/O XI R 1 CPC seeking interrogatories from
defendant no.1 to 3 and 7)**

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Reply filed by defendant nos. 2 and 3 to captioned IA is on record. It



is stated by learned counsel for plaintiff that he has also filed rejoinder to the same yesterday vide diary no. 1016660/2022 and supplied copy to all the defendants. The said rejoinder is not on record. Learned counsel for plaintiff submits that he will check up the same with Registry and take steps for placing it on record.

It is stated by learned counsel for plaintiff that plaintiff does not wish to file rejoinder to reply to captioned IA filed on behalf of defendant no. 7. So pleadings are complete qua defendant no. 7.

The counsel for defendant no. 1 seeks time to file reply to captioned IA on the ground that defendant no. 1 is physically incapacitated to give instructions for filing reply.

At request, last and final opportunity is granted to defendant no. 1 to file reply within seven working days with copy to opposite parties. Rejoinder, if any, be filed thereafter within a week with copy to learned counsel for defendant no. 1. It is clarified that in case, reply is not filed by defendant no. 1 within the above timeline, the defendant no. 1 shall pay cost of Rs. 10,000/- to the plaintiff.

Re-notify for completion of pleadings and consideration qua the captioned IA on next date.

IA No.8930/2021 (u/O I R 10(2) CPC for impleadment of Mr. Kamal Arora & Standard Chartered Bank)

It is stated by learned counsel for proposed defendant Mr. Kamal Arora that he has no objection to the captioned IA.

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No reply to captioned IA filed by proposed defendant Standard Chartered Bank till date. The record reflects that sufficient opportunities have already been granted to proposed defendant, Standard Chartered Bank, to file reply to captioned IA and vide last order dated 31.03.2022, last opportunity was granted to Standard Chartered bank to file reply. Despite the same, proposed defendant Standard Chartered Bank has not filed reply. Keeping in view the same, right of proposed defendant, Standard Chartered Bank, to file reply is ordered to be closed.

Re-notify for consideration qua the captioned IA on next date.

IA No.8931/2021 (u/O VI R 17 CPC moved by plaintiff for amendment of the plaint)

Defendant no.5 &7 have already given their no objections to captioned IA.

Reply to captioned IA has already been filed by defendant no.8. It is stated by learned counsel for plaintiff that he has also filed rejoinder to the same yesterday vide diary no. 1016673/2022 and supplied copy to all the defendants. The said rejoinder is not on record. Learned counsel for plaintiff submits that he will check up the same with Registry and take steps for placing it on record.

Reply filed by defendant nos. 2 and 3 to captioned IA is on record. It is stated by learned counsel for plaintiff that he has also filed rejoinder to the same yesterday vide diary no. 1016665/2022 and supplied copy to all the defendants. The said rejoinder is not on record. Learned counsel for



plaintiff submits that he will check up the same with Registry and take steps for placing it on record.

It is stated by learned counsel for defendant no. 4 and learned counsel for defendant nos. 9 and 10 that they do not wish to file reply to captioned IA.

The counsel for defendant no. 1 seeks time to file reply to captioned IA on the ground that defendant no. 1 is physically incapacitated to give instructions for filing reply.

At request, last and final opportunity is granted to defendant no. 1 to file reply within seven working days with copy to opposite parties. Rejoinder, if any, be filed thereafter within a week with copy to learned counsel for defendant no. 1. It is clarified that in case, reply is not filed by defendant no. 1 within the above time line, the defendant no. 1 shall pay cost of Rs. 10,000/- to the plaintiff.

Re-notify for completion of pleadings qua the captioned IA on next date.

IA No.16615/2021(u/O VI R 17 CPC; and IA No.16616/2021 seeking exemption; both IAs moved by plaintiff)

Defendant no.5 &7 have already given their no objections to the captioned IA.

Reply to the captioned IA has already been filed by defendant no.8. It is stated by learned counsel for plaintiff that he has also filed rejoinder to the same yesterday vide diary no. 1016678/2022 and supplied copy to all

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the defendants. The said rejoinder is not on record. Learned counsel for plaintiff submits that he will check up the same with Registry and take steps for placing it on record.

Reply filed by defendant nos. 2 and 3 to captioned IA is on record. It is stated by learned counsel for plaintiff that he needs three weeks time to file rejoinder. Let rejoinder be filed within three weeks with copy to opposite sides.

It is stated by learned counsel for defendant no. 4 and learned counsel for defendant nos. 9 and 10 that they do not wish to file reply to captioned IA.

The counsel for defendant no. 1 seeks time to file reply to captioned IA on the ground that defendant no. 1 is physically incapacitated to give instructions for filing reply.

At request, last and final opportunity is granted to defendant no. 1 to file reply within seven working days with copy to opposite parties. Rejoinder, if any, be filed thereafter within a week with copy to learned counsel for defendant no. 1. It is clarified that in case, reply is not filed by defendant no. 1 within the above time line, the defendant no. 1 shall pay cost of Rs. 10,000/- to the plaintiff.

Re-notify for completion of pleadings qua the captioned IAs on next date.

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The matter is listed for marking of exhibits to the documents.

Amended memo of parties and joint schedule of documents were to

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be filed by the plaintiff. In the meantime, applications for amendment of plaint and another application for adding of additional defendants have been filed by the plaintiff.

Re-notify on 30.08.2022.

**PRIYA MAHENDRA (DHJS)
JOINT REGISTRAR (JUDICIAL)**

JUNE01, 2022/yo

Click here to check corrigendum, if any

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