



\$~5

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

+ **CS(OS) 625/2016**

SH RESHAM SINGH LALLY & ANR Plaintiffs

Through **Mr. Rakesh Wadhwa, Advocate**

versus

SH KULWINDER SINGH SANDHU & ANR Defendants

Through

CORAM:

**SH. RAKESH KUMAR (DHJS), JOINT REGISTRAR
(JUDICIAL)**

ORDER

%

10.08.2018

IA No. 12974/2017 (application filed by defendants seeking leave of the court to deliver interrogatories)

By filing the present application, defendants seeking leave of the court to deliver interrogatories to the plaintiff as such the list of 26 questionnaires has been attached in the application.

Reply to the application filed wherein the dismissal of the application has been prayed on the ground that defendants yet another attempt to prolong the proceedings in the present matter in order to avoid and wanted to waste precious judicial time of this court. On merits the contents of the application has been denied.

I have heard ld. counsels for the parties and have perused the record.

Before proceedings further it would be appropriate to mention here that the present suit has been filed by the plaintiff seeking a money decree in

CS(OS) 625/2016

Pages Nos. 1/3



favour of plaintiffs against defendants to the tune of Rs. 17,22,50,562.49 alongwith pendent-lite and future interests and cost of the suit on the ground that Rs. 14,90,50,000/- has been paid by the plaintiffs to defendants through RTGS for purchase of the properties/lands and before the present suit plaintiff got issued a legal notice dated 20.10.2011.

On the other hand, defendants filed written statement and admitted the receipt of Rs. 14,90,50,000/-, however, contended that the property was being purchased as per details mentioned in para 30 of the plaint. It is also contended by defendants during the arguments that whatsoever amount received by defendant from the plaintiff has been utilized for the purchase of the properties i.e. Sale Deed and title Deed and got registered in lesser amount. The service of legal notice dated 20.10.2011 has been denied.

Bare perusal of the interrogatories, it appears that none of the interrogatories are relevant for just adjudication of the present case keeping in view of that the payment of receipt of Rs. 14,90,50,000/- has been admitted and the properties got purchased as averted and admitted in para no. 30 of the written statement. Accordingly, the present application is dismissed.

IA stands disposed off accordingly.

CS(OS) 625/2016

None for defendant.

Defendant be awaited.

Put up at 2:00 PM.



At 2:00 PM

Mr. Abhik Kumar, Ld. counsel for defendants submits that defendant is unable to come to the court today being ill with undertaking to come on the next date of hearing and sought adjournment.

Heard. Allowed.

Put up for further directions on **4th September, 2018.**

**RAKESH KUMAR (DHJS)
JOINT REGISTRAR (JUDICIAL)**

AUGUST 10, 2018
savita

CS(OS) 625/2016

Pages Nos. 3/3