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IN THE HIGH COURT OF DELHI AT NEW DELHI

CS(OS) 150/2010

KAMAL KUMAR NEWAR

.....Plaintiff

Through: Mr. Ashok Gurnani & Mr.
Mukesh Kr. Gupta, Advs.

versus

NAND KUMAR NEWAR & ORS

.....Defendants

Through: Ms. Savita Rustogi, Adv. for D-1
Ms. Pavitra Singh, Adv. for
D-3&4 (joined through VC)
(Email: avneesh.legal@gmail.com).
D-6&8 have expired.

CORAM:

**JOINT REGISTRAR (JUDICIAL) MS. PREETI
PAREWA, (DHJS)**

ORDER

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09.09.2025

IA No. 9232/2023 u/O XXII R.4 (4) CPC seeking exemption from bringing on record LR's of defendant no.6 and in the alternative, u/O XXII R.4 CPC for bringing the LR's of defendant no.6 ; and

I.A. 31842/2024 (under Order XXII Rule 4 read with Section 151 CPC by the plaintiff seeking substitution of the legal representatives of Late Kirti Kumar Newar (8B), one of the legal representative of the defendant no.8, namely, Late Shiv Mohan Newar).

1. The right of defendant no.1 to file reply qua IA no.9232/2023 has already been ordered to be closed.
2. It has already been stated by learned counsel for defendant no.1 that he does not wish to file any reply to IA No.31842/2024.
3. It has already been stated by learned counsel for the defendant no.3&4 that she has no objection to the captioned IAs.
4. The right of defendants no.2,6A,6B, 8E, 8H, 9A to 9F, 9H, D-10&D-11 to file reply to IA no.9232/2023 has



already been ordered to be closed.

5. The right of said defendants no.2&11 to file reply to IA no.31842/2024 has already been ordered to be closed.

6. Learned counsel for the plaintiff submits that the substituted service of the un-served defendants have been effected. Let the plaintiff apprise the Court regarding the service of the un-served defendants of the above-captioned IAs, for the next date of hearing.

7. As per office note, copy of Citations in newspaper 'Punjab Kesari' & 'Statesman' both dated 30.08.2025 qua service of defendant no.1 of the above-captioned IAs, filed by the plaintiff are on record.

8. The plaintiff is directed to proof of previous cost Rs.2000/-, as directed to be deposited with Delhi High Court Legal Services Committee vide order dated 20.05.2025 within two weeks from today with the Registry.

9. Re-notify the captioned IA for completion of service qua the un-served defendants on the next date of hearing.

IA No. 275/2018 u/O XXXIX R.2A CPC by defendant nos. 3&4.

10. Pleadings are already complete.

11. Learned counsel for the defendant no.3&4 seeks some more time to apprise the Court whether the para no.4&5 of order dated 18.11.2019 has been complied with by Defendant no.1 and Defendant no.3&4 or whether the Defendant no.3&4 want to pursue the captioned IA further.

12. At request, re-notify the captioned IA on the next date of hearing.

IA No. 3501/2018 u/O XXXIX R.1 & 2 CPC by plaintiff

13. It is stated by learned counsel for the plaintiff that



pleadings qua captioned IA are complete.

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14. The order dated 01.04.2024 records that Written statement has been filed by defendant nos.1,2,3, 4 & 8. Replication to written statement of defendant no.1,2,3, 4 & 8 are on record. **Hence, pleadings qua defendant no.1,2,3,4&8 are already complete.**

15. The right of defendant nos. 5 to 7 & 9 to 11 to file Written Statement has already been ordered to be forfeited.

16. As per office note, the revised Affidavit of Admission/Denial of the documents filed by the plaintiff is still lying under objections. Learned counsel for the plaintiff is directed to take requisite steps to bring the same on record as per law.

17. The right of defendant no.3&4 to file Admission/Denial Affidavit was ordered to be closed vide order dated 18.03.2025.

18. The defendant no.1 has not deposited the cost of Rs.5,000/- as imposed vide order dated 18.03.2025 with Delhi High Court Legal Services Committee till date. Learned counsel for the defendant no.1 submits that Admission/Denial of the documents has already been filed in the year 2016 itself.

19. An application bearing IA no.9232/2023 u/O XXII R.4 (4) CPC seeking exemption from bringing on record LR's of defendant no.6 and another application bearing IA No.31842/2024 (under Order XXII Rule 4 read with Section 151 CPC by the plaintiff seeking substitution of the legal representatives of Late Kirti Kumar Newar (8B), one of the legal representative of the defendant no.8,



namely, Late Shiv Mohan Newar), are pending consideration.

20. Re-notify the matter for further proceedings on 19.11.2025.

PREETI PAREWA (DHJS)
JOINT REGISTRAR (JUDICIAL)
SEPTEMBER 9, 2025/ab