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

+ **CS(OS) 1239/2015**

DINESH MADAN

.....Plaintiff

Through: Mr. Shailendra Paul & Mr. Dhruv
Madan, Advs.

versus

ANIL MADAN & ANR

.....Defendant

Through: D-1 is stated to have expired.

None for Ms. Veena Madan,
proposed D-1(b) (also applicant in
IA No.706/2024)

Ms. Shivangi Bhasin & Ms. Pooja
Kapur, Advs. for proposed LR Ms.
Sonia Madan i.e. D-1(c) (email:
mrinalinisgupta@gmail.com and
Mob. No. 9873367274) (through
VC).

Mr. Nishant Gupta, Advocate for
proposed LRs Mr. Anish Madan
i.e. D-1(d) & Mr. Ashish Madan
i.e. D-1(e).

Mr. Ashish Mohan & Mr. Digvijay
Singh, Advs. for D-2.

Mr. Aditya Chauhan, for D-3 Mrs.
Bimla Madan [proposed LR D-1(a)]

None for LRs of D-4(a) to (c).

Ms. Asha Jain & Mr. Mukesh Jain,
Advs. for intervenor Mr. Vipin
Kumar Jain (applicant in IAs No.
20692/2023 & 21227/2023) (email:
mukeshjainadvocate@gmail.com)
(through VC).

CORAM:

**JOINT REGISTRAR (JUDICIAL) SH. DEVENDER
KUMAR GARG (DHJS)**



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ORDER

03.05.2024

Proceedings are being conducted through hybrid mode.

I.A. No. 24162/2023 (by plaintiff u/O XXII Rule 4 CPC for impleadment of (a) Mrs. Bimla Madan (D-3), (b) Mrs. Veena Madan, (c) Mrs. Sonia Madan, (d) Mr. Anish Madan and (e) Mr. Ashish Madan as LR's of D-1)

1. As per office noting, separate replies to the captioned IA were filed on behalf of proposed LR no.1(b) Mrs. Veena Madan and proposed LR no.1(c) Mrs. Sonia Madan as well as on behalf of proposed LR no.1(d) Mr. Anish Madan and proposed LR no.1(e) Mr. Ashish Madan.
2. Ld. Counsel for plaintiff submits that he does not wish to file any rejoinder to the said reply.
3. Ld. Counsel for remaining defendants submit that they do not wish to file any reply to the captioned IA.
4. Pleadings qua the captioned IA are complete.

I.A. No. 706/2024 (by Smt. Veena Madan, wife of D-1, u/O XXII Rule 4 of CPC for impleadment of (a) Mrs. Veena Madan, (b) Mrs. Sonia Madan, (c) Mr. Anish Madan and (d) Mr. Ashish Madan as LR's of D-1)

5. Ld. Counsels for plaintiff and Ld. Counsels appearing for non-applicants submit that they do not wish to file any reply to the captioned IA and would like to argue the same straightaway.
6. Pleadings qua the captioned IA are complete.
7. Ms. Shivangi Bhasin & Ms. Pooja Kapur, Advs. have submitted that earlier, they were appearing on behalf of applicant Smt. Veena Madan (also proposed D-1(b) as per IA No.24162/2023) in the present matter, however, they are now not representing her and will take appropriate steps for their discharge as counsel for applicant. Let appropriate steps be taken as per law.



8. Heard. There is no appearance on behalf of applicant Mrs. Veena Madan. Let court notice be issued to the applicant Mrs. Veena Madan in person, without PF, for next date of hearing.

I.A. No. 15101/2018 (by D-1 u/O VI Rule 17 CPC seeking amendment of written statement)

9. Reply to the captioned IA was already filed on behalf of plaintiff. No rejoinder to the said reply has been filed on behalf of defendant no.1.

10. Two applications for impleadment of LRs of defendant no.1 are pending for consideration.

I.A. No. 1703/2020 (by D-1 u/S 151 CPC seeking direction to appointed Court Valuer)

11. Reply to the captioned IA was already filed on behalf of plaintiff. Rejoinder to the said reply has been filed on behalf of defendant no.1.

12. Reply to the captioned IA was already filed on behalf of defendant no.2. No rejoinder to the said reply has been filed on behalf of defendant no.1.

13. Two applications for impleadment of LRs of defendant no.1 are pending for consideration.

I.A. No. 857/2021 (by D-1 u/S 151 CPC objecting to the valuation report filed by Dream Land Designers Pvt. Ltd.)

14. Ld. Counsels for plaintiff and defendant no.2 submit that they do not wish to file any reply to the captioned IA and would like to argue the same straightaway.

15. Pleadings qua the captioned IA are complete.

I.A. No. 18919/2023 (by D-1 for condonation of delay in filing replication to WS of D-3)

16. No reply to the captioned IA has been filed on behalf of non-applicants.



17.Two applications for impleadment of LR's of defendant no.1 are pending for consideration.

I.A. No. 20692/2023 (by applicant Mr. Vipin Kumar Jain u/O I Rule 10 CPC for impleading him as party to the suit) &

I.A. No. 21227/2023 (by applicant Mr. Vipin Kumar Jain u/s 151 of CPC for directions)

18.Separate replies to the captioned IAs were filed on behalf of Mrs. Sonia Madan, proposed LR no.(b) of defendant no.1.

19.Ld. Counsel for applicant has submitted that he has not received copies of the above said replies. Ld. Counsel for proposed LR no.(b) of defendant no.1 submits that she will supply the same within two days and thereafter, rejoinder be filed within two weeks.

20.Ld. Counsel for plaintiff submits that he does not wish to file any reply to the captioned IAs.

21.Ld. Counsel for LR's no.(d) and (e) seeks time to file reply to the captioned IA. The reply may be filed within two weeks and rejoinder thereto be filed before next date of hearing.

I.A. No. 8861/2019 (by plaintiff for final decree) &

I.A. No. 8862/2019 (by plaintiff for appointment of Local Commissioner)

22.Separate replies to the captioned IAs were already filed on behalf of defendant no.1.

23.Ld. Counsel for plaintiff submits that he does not wish to file any rejoinder to the said replies.

24.Ld. Counsel for defendants appearing today submit that they do not wish to file any reply to the captioned IAs.

25.Pleadings qua the captioned IAs are complete.



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- 26.It is submitted that matter and captioned IAs are coming up for hearing before Hon'ble Court on 28.05.2024.
- 27.Two applications for impleadment of LR's of defendant no.1 are pending for consideration.
- 28.Perusal of record shows that no valuation report/note has been filed on behalf of parties in terms of para 8 of order dated 22.03.2024 passed by the Hon'ble Court.
- 29.Ld. Counsel for plaintiff has submitted that he is defendant no.1 in CS(OS) 626/2016 and valuation report has been filed in the said matter vide diary no.1338495 dated 01.05.2024.
- 30.Re-notify the matter for further proceedings on **21st May, 2024.**

**DEVENDER KUMAR GARG (DHJS)
JOINT REGISTRAR (JUDICIAL)**

MAY 3, 2024/v

Click here to check corrigendum, if any