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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **CS(OS) 1545/2015 and I.A. 7788/2024**

R C KOHLI

..... Plaintiff

Through: Mr. Siddharth Jain, Adv. (M:  
9643315667)

versus

RAJIV KOHLI & ORS

..... Defendants

Through: Ms. Renuka Arora, Adv.

**CORAM:**

**JUSTICE PRATHIBA M. SINGH**

**ORDER**

% **08.04.2024**

1. This hearing has been done through hybrid mode.

**I.A. 7788/2024 (for direction) in CS(OS)-1545/2015**

2. This is an application filed on behalf of the Plaintiff seeking directions to Defendant Nos. 1 and 2 for filing their affidavit of evidence.

3. The Plaintiff/Applicant is seeking the present reliefs based on the order dated 7th February, 2018 wherein the Court clubbed- CS(OS) 1545/2015 and CS(OS) 683/2015. Further, the Court held that the two said suits are clubbed only for the purposes of jurisdiction and separate evidences shall be recorded in both suits. Relevant portion of the said order is extracted hereinunder:

*“It is clarified that the present suit has been consolidated with CS(OS) No.683/2015 vide order dated 19th January, 2016 only for the purpose of jurisdiction. The parties are in agreement that separate evidence shall be recorded in both the suits. - However, both the suits shall be heard by the same*



*learned Judge and the judgement will be pronounced one after the other by the same Court and on the same day.”*

4. Today, it is submitted by Id. Counsel for the Defendant nos.1 and 2 that Defendant Nos. 3 and 4 are supporting the case of the Plaintiff and, therefore, their evidence ought to be led first. None appears for Defendant Nos. 3 and 4.
5. Let reply to this application be filed within four weeks. Rejoinder, thereto, be filed within four weeks.
6. It is made clear that if Defendant Nos. 3 and 4 wish to lead evidence, they shall lead the evidence first in this suit.
7. List before the Joint Registrar on 24th July, 2024 i.e., the date already fixed.
8. List before Court on 21st August, 2024.

**PRATHIBA M. SINGH, J**

**APRIL 8, 2024**

*dj/rks*