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

+ CS(OS) 1545/2015 & CC 2/2016

R C KOHLI

.....Plaintiff

Through: Mr. Sanjay Kumar and Mr. Siddharth
Jain, Advocates

versus

RAJIV KOHLI & ORS

.....Defendant

Through: Mr. Sanjay Kumar and Mr. Siddharth
Jain, Advocates for Defendant No.4

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

09.01.2025

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I.A. 7788/2024

1. This application under Section 151 CPC has been filed by the Plaintiff for necessary directions against Defendants No.1 and 2 for filing their affidavit of evidence.
2. It is stated by learned Counsel for the Plaintiff that the instant application has already been disposed of *vide* Order dated 08.10.2024.
3. The application is disposed of.
4. Registry is directed not to reflect the instant application in the cause list.

I.A. 35878/2024

1. This application under Section 5 of the Limitation Act, 1963 has been



filed on behalf of the Defendants No.1 and 2 for condonation of delay in filing the reply to I.A. No.7788/2024.

2. Since, I.A. No.7788/2024 has already been disposed of by this Court on 08.10.2024, the present application has now become infructuous.

3. The application is disposed of as having become infructuous.

CS(OS) 1545/2015 & CC 2/2016

1. On 08.10.2024, this Court while considering the I.A. No.7788/2024, passed the following directions:-

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6. The Ld. Joint Registrar is requested to ensure that the examination of Defendant Nos.3 and 4 is completed before 30.11.2024. After one month from 30.11.2024, the Defendant Nos.1 and 2 are directed to file their evidence by way of affidavit and the examination of Defendant Nos.1 and 2 be conducted immediately in view of the fact that the present suit is of the year 2015. It is expected that the examination of Defendant Nos.1 and 2 will be concluded on or before 28.02.2025.

7. Learned Counsel appearing for the Plaintiff in CS (OS) 683/2015 submits that he is only interested in expeditious conclusion of trial. He states that after the examination of Defendant Nos.3 and 4 in CS (OS) 1545/2015 is concluded, the examination of the Plaintiffs and the supporting Defendants in CS (OS) 683/2015 be completed in the month of December, 2024.

8. Let the examination of the Plaintiffs and the supporting Defendants in CS (OS) 683/2015 be also concluded in the month of December, 2024 itself.”

2. Apropos the Order dated 08.10.2024, the examination of Defendants No.3 and 4 who are supporting the Plaintiff has commenced. Now,



Defendants No.1 and 2 are cross-examining Defendants No.3 and 4.

3. Since the time granted by this Court has lapsed, the matter has been placed before this Court for further directions.

4. Further three months are granted for conclusion of the examination of Defendants No.3 and 4.

5. List before the Ld. Joint Registrar on 23.01.2025.

6. In case, the examination of Defendants No.3 and 4 is concluded prior to the date fixed, the Registry is requested to place the matter before this Court.

SUBRAMONIUM PRASAD, J

JANUARY 09, 2025

RJ