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

+ CS(OS) 606/2016, I.A. 8608/2024

S JASBIR SINGH CHHATWALPlaintiff

Through: Mr. Paritosh Budhiraja, Adv.

versus

S DARSHAN SINGH & ORSDefendant

Through: Mr. Savita Malhotra, Adv. for D-1
(Through VC)
Ms. Suman Malhotra, Adv. for D-1
Mr. Parth Dixit and Mr. Keshav, Adv. for
D-2 (Through VC)

CORAM:

JOINT REGISTRAR (JUDICIAL) MS. TYAGITA SINGH, (DHJS)

ORDER

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08.10.2024

Matter is taken up through physical hearing as well as video conferencing.

I.A. 8608/2024 (Application u/S. 151 CPC filed by Mr. Gautam Dhamija, Ld. Counsel for defendant no.2 for discharge)

At request, copy be supplied to Ld. Counsel for plaintiff. Ld. Counsel for defendant no.2 has requested for discharge as defendant no.2 is not contacting the counsel.

Ld. Counsel for plaintiff has stated that on the last date of hearing, Ld. Counsel for defendant no.2 was directed to supply the fresh address of defendant no.2 to the Ld. Counsel for plaintiff which has been supplied yesterday by way of e-mail due to which notice could not be issued to defendant no.2.



Amended Memo of Parties as per fresh address of defendant no.2 filed on record by the plaintiff within one week. At request, fresh Court Notice be issued to defendant no.2 at the fresh address for personal appearance on next date of hearing.

CS(OS) 606/2016

Perusal of case file reveals that Joint Document Schedule had already been filed qua the documents of plaintiff and defendant no.1. Defendant no.2 had not filed any documents and had not filed any affidavit of admission/denial qua the documents of plaintiff. Right of defendant no.4 to 6 to file Written Statement had already been closed.

Perusal of previous orders reveals that it was mentioned in various orders that pleadings are already complete qua defendant no.1 and defendant no. 2 and 3 are liable to be proceeded ex-parte.

Perusal of order dated 11.10.2019 reveals that admission/denial qua the documents of plaintiff and defendant no.1 was done. Admitted documents of plaintiff were exhibited as Ex. P-1 to Ex. P-5. Two admitted documents of defendant no.1 were exhibited as Ex. D-1 and Ex. D-2. **The stage of admission/denial qua documents of plaintiff and defendant no.1 is already complete..**

At request, matter be placed before Hon'ble Court for further directions qua framing of issues on 02.12.2024.

**TYAGITA SINGH, (DHJS),
JOINT REGISTRAR (JUDICIAL)**

OCTOBER 8, 2024/sm