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IN THE HIGH COURT OF DELHI AT NEW DELHI

CS(OS) 413/2017

ARVIND DUMRA & ANR

.....Plaintiffs

Through: Ms. Sonia A. Menon, Adv.

versus

SMT. PREETI DUMRA & ANR

.....Defendants

Through: Mr. S. K. Nanda, Adv. For D-1
Mr. Dhanesh Relan & Mr.
Arindam Dey, Advs. For D-2
with D-2 in person

CORAM:

**JOINT REGISTRAR (JUDICIAL) MS. PRIYA
MAHENDRA, (DHJS)**

ORDER

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20.03.2025

**IA No.7233/2025 under Order VII Rule 1 CPC moved
by plaintiff no.2/defendant no.2 in Counter Claim
seeking condonation of delay in filing Written
Statement to Counter Claim; and**

**IA No.7276/2025 under Order VII Rule 1 CPC moved
by defendant no.3 in Counter Claim seeking
condonation of delay in filing Written Statement to
Counter Claim**

1. Learned counsel for the Counter Claimant accepts notice of the captioned IA and seeks time to file reply to the captioned IAs. At request, reply to the captioned IAs be filed by the Counter Claimant within three weeks with copy to the opposite side, who is at liberty to file rejoinder, if any, within two weeks thereafter with copy to the opposite side.

Re-notify the captioned IAs for completion of pleadings/consideration on the next date of hearing.

**I.A. 36251/2024 moved by the defendant no.1 praying
for the plaintiffs and the defendant no.2 to comply with
the Order dated 19.09.2017**

2. As per office note, fresh Vakalatnama filed on behalf of plaintiff no.2 is on record.

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



she has filed an Affidavit in compliance of the last order dated 13.12.2024 but she has filed the said Affidavit only today in the morning. She is directed to take requisite steps within a week to bring said Affidavit on record. Copy of the same has been received by the applicant, who submits that he needs sometime to go through the same.

4. Further, learned counsel for the plaintiff also undertakes to pay the total previous cost of Rs.14,000/- to the applicant within two days and also deposit the previous cost of Rs.10,000/- with Delhi High Court Legal Services Committee within one week. Let needful be done as stated. She is directed to file proof of cost in this regard.

5. As per record, the defendant no.2 has filed Affidavit in terms of the order dated 30.09.2024. However, the applicant has not filed any response in view of submission made in terms of para no.4 of the last order dated 13.12.2024, for which no plausible explanation is furnished. So, cost of Rs.1000/- is imposed upon the applicant to be deposited with Delhi High Court Legal Services Committee and the last and final opportunity is granted to the applicant to file response within two weeks with copy to the opposite side.

6. Reply to the captioned IA filed by defendant no.2 is already on record but rejoinder to the same has not been filed, for which no plausible explanation is furnished. So, cost of Rs.1000/- is imposed upon the applicant to be deposited with Delhi High Court Legal Services Committee and the last and final opportunity is granted to the applicant rejoinder, if any be filed by applicant within two weeks with copy to the opposite side.



7. The plaintiff has not filed any reply to the captioned IA till date despite being granted the last and final opportunity to file the same vide order dated 13.12.2024. Cost of Rs.3500/- has also not been deposited by the plaintiff. So, the right of the plaintiff to file reply is ordered to be closed.

Re-notify the captioned IA on the next date of hearing.

IA No.36053/2024 under Order I Rule 10 CPC moved by defendant no.1 for transposition of defendant no.2 as plaintiff

8. It is stated by learned counsel for defendant no.2 has filed reply to the captioned IA only yesterday. As per office note, the same is lying under objections. It be noted that vide last order dated 13.12.2024, three weeks' time was granted to the defendant no.2 to file reply but admittedly, the reply was filed only yesterday by defendant no.2 for which no plausible explanation is furnished. So, cost of Rs.1000/- is imposed upon the defendant no.2 to be deposited with Delhi High Court Legal Services Committee and the last and final opportunity is granted to the defendant no.2 to take requisite steps to bring reply on record as per law.

9. Rejoinder, if any, be filed by the applicant within two weeks with copy to the opposite side.

10. It is stated by learned counsel for the plaintiff that she does not wish to file any reply to the captioned IA and will straightway argue the same.

Re-notify the captioned IA for completion of pleadings on the next date of hearing.

I.A. 6467/2024 (u/O XI Rules 12 & 14 r/w Section 151 of



CPC, 1908) moved by defendant no.1

11. Reply filed by plaintiff no.2 is on record. Let rejoinder to the same be filed by the applicant within two weeks with copy to the opposite side, as a last and final opportunity.

Re-notify the captioned IA for completion of pleadings on the next date of hearing.

IA No. 11292/2017 under Section 151 CPC moved by the plaintiff for modification of order dated 19.9.2017

12. Pleadings qua captioned IA are already complete.

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

IA No.11302/2017 under Section 151 CPC moved by the defendant no.1 for recall/review the order dated 19.09.2017

13. Pleadings qua captioned IA are already complete.

Re-notify the captioned IA on the next date of hearing.

CS(OS) 413/2017 & CC No.19/2024 moved by defendant no.1

14. As per office note, respective Written Statement to the Counter Claimant filed by plaintiff no.2 and Written Statement to the Counter Claim filed by defendant no.3 are under objections.

15. Applications seeking condonation of delay in filing Written Statement to the Counter Claimant filed by plaintiff no.2 (defendant no.2) and defendant no.3 are pending consideration.

Re-notify the matter for completion of pleadings/further proceedings on 08.07.2025.

**PRIYA MAHENDRA (DHJS)
JOINT REGISTRAR (JUDICIAL)
MARCH 20, 2025/ab**

Click here to check corrigendum, if any