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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CS(OS) 592/2018

BAJAJ AUTO LIMITED

.....Plaintiff

Through: Ms. Biswabara Dash, Adv.

versus

RAKESH KUMAR

.....Defendant

Through: Mr. R.K. Vats, Adv. (through VC).

CORAM:

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

ORDER

02.11.2022

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**I.A. No.11837/2020 (u/O 9 Rule 7 r/w Sec. 151 CPC to set
aside order dated 23.06.2016 o/behalf of defendant);**

**I.A. No. 11838/2020 (u/S 5 Limitation Act r/w Sec. 151 of
CPC for condonation of delay of 94 days in filing
application on behalf of the defendant);**

1. Pleadings qua the captioned IA are already complete as reflected in order dated 11.10.2021.
2. Re-notify the captioned IAs for further proceedings on 25th November, 2022.

**CCP(O) 6/2021 (for contempt for violation of order dated
21.09.2016, sentence R & impose fine & cost on behalf of
the plaintiff);**

**I.A. No. 3189/2021 (u/O XXXIX Rule 2A & Section 151
of CPC for attachment of property & detention with
cost).**

1. Ld. Counsel for defendant has submitted that no reply to the captioned IAs has been filed as order of exparte of defendant has been challenged in IA No.11837/2020 and



condonation of delay filed as IA No.11838/2020, which are pending for disposal.

2. The captioned IAs are not available in the e-file.
3. Report was called from Registry as well as from Portfolio Branch to indicate the location of the captioned IA in the soft copy of judicial file. However, no report has been received. Let fresh report be called from Registry as well as Portfolio Branch for next date of hearing.
4. Let the pleadings be completed as per law.
5. Re-notify captioned IAs for further proceeding on **25th November, 2022.**

I.A. No. 16434/2022 (u/O XXXIX Rule 1 & 2 of CPC).

1. Perusal of soft copy of captioned IA would show that same is reflecting one order dated 21.09.2016 and same is not showing any application u/O XXXIX Rules 1 & 2 CPC.
2. Report was called from Registry, but no report has been filed. Let fresh report be called from Registry on next date of hearing.
3. Re-notify the captioned IA for further proceedings on **25th November, 2022.**

CS(OS) 592/2018

1. It is submitted that the matter is coming up for hearing before the Hon'ble Court on 29.11.2022.
2. As per office noting, nothing fresh has been filed.
3. Ld. Counsel for defendant has submitted that he has filed written statement alongwith affidavit of admission/denial of documents vide diary no.1281603 dated 16.09.2022 and has also filed list of documents with documents vide diary no.1324238 dated 03.08.2022. However, the same



do not find mention in the office noting. Let report be called from Registry for next date of hearing.

4. It appears that all directions given in the last order have not been complied by the Registry / Portfolio Branch. Registry / Portfolio Branch to comply the directions given in the last order.
5. Chart/table of cases including pending applications and status of the pleadings in application as well as the suits, on behalf of plaintiff is already on record in connected case bearing CS(OS) 190/2017.
6. Chart/status of all five suits between the parties on behalf of defendant in connected case bearing CS(OS) 190/2017 has now come on record.
7. Ld. Counsels for the parties have submitted that they will coordinate with the officials of Registry for providing information for preparation of judicial record as per the Delhi High Court (Original Side) Rules, 2018.
8. Re-notify the matter for further proceedings on **25th November, 2022.**

DEVENDER KUMAR GARG (DHJS)
JOINT REGISTRAR (JUDICIAL)
NOVEMBER 2, 2022/v

[Click here to check corrigendum, if any](#)