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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CS(OS) 572/2017

SANJEEV SOLANKI

.....Plaintiff

Through: Mr. J. V. Rana, Adv.

Versus

UNION OF INDIA & ORS

.....Defendants

Through: Mr. Sandeep Kumar Mahapatra,
Adv. CGSC with Mr. Tribhuvan,
Adv. for D-1 (joined through
VC)
Mr. Mohit Agarwal, Adv. for
D-2 (joined through VC)
Ms. Shobhana Takiar, Standing
Counsel for DDA with Mr.
Kuljeet Singh & Mr. Prakeet
Dhir & Ms. Neha Bhupathiraju,
Adv. for D-3

CORAM:

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

ORDER

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14.02.2025

CS(OS) 572/2017

1. The defendant no.3 has not filed Written Statement alongwith Affidavit of Admission/Denial of the documents till date despite service of complete paper book on 14.10.2024. It is stated by learned counsel for the defendant no.3 the same could not be filed as defendant no.3 is still in the process of verifying the documents due to assembly elections in Delhi. The same is strongly opposed by learned counsel for the plaintiff on the ground that the maximum permissible period of 120 days for filing Written Statement already expired.

2. I have carefully considered the submissions and



perused the records. In *Sharu Agarwal Vs. Mr. Alok Kalia & Ors.*, 2023/DHC/001454, the Hon'ble Court of Delhi clearly held that as per Rule 4 of Chapter VII of Delhi High Court (Original Side) Rules, the defendant is not entitled to file Written Statement beyond 120 days in any circumstances whatsoever in view of language employed in Rule 4 of Chapter VII of Delhi High Court (Original Side) Rules. The limitation period of 120 days for filing Written Statement on behalf of the defendant no.3 has already expired. However, no Written Statement has been filed by the defendant no.3 till date. So, the right of the defendant no.3 to file Written Statement is ordered to be forfeited. Even the defendant no.3 has not filed Affidavit of Admission/Denial of the documents in respect of the documents filed by the plaintiff. So, the right of defendant no.3 to file the same is ordered to be forfeited. Accordingly, the documents of the plaintiff are deemed to be admitted by the defendant no.3 in terms of Chapter VII, Rule 4 of Delhi High Court (Original Side) Rules.

3. The plaintiff is directed to share draft of Joint Schedule of the documents with learned counsels for the defendants within two weeks. Learned counsels for defendants are directed to provide their inputs, if any, to the draft of Joint Schedule of the documents within two weeks. Thereafter, the plaintiff is directed to file soft copy as well as physical copy of Joint Schedule of the documents within one week.

4. Parties are directed to file physical copy of the documents of which e-copy already filed on record, if not filed earlier, before the next date of hearing.



5. Re-notify the matter of marking of exhibits to the documents on 09.05.2025.

**PRIYA MAHENDRA (DHJS)
JOINT REGISTRAR (JUDICIAL)**

FEBRUARY 14, 2025/ab

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