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

+ **CS(OS) 257/2023**

DHRITI GOENKA

..... Plaintiff

Through: Mr. Manish Sharma, Mr. Karan
Nagrath, Ms. Nupur Kumar, Ms.
Niharika Nagrath, Mr. Ambuj
Tiwari, Mr. Arjun Nagrath, Ms.
Niharika Tanwar, Advocates.

versus

RISHABH SINGHVI & ORS.

..... Defendants

Through: Mr. Tanmaya Mehta, Mr. Rudrajit
Ghosh, Ms. Neha Rathi, Advocates
for D-1, 2 and 5 to 9.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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26.04.2024

This suit has been listed today as a fresh application [I.A. 9285/2024] has been filed by the plaintiff. Summons have not yet been issued in the suit. The suit and all pending applications are taken on Board with the consent of learned counsel for the plaintiff and learned counsel for defendant Nos. 1, 2 and 5 to 9.

I.A. 8018/2023 (for exemption)

The application for exemption is allowed, subject to the plaintiff granting inspection of the documents filed, as and when required to do so, or filing the original documents at the stage of admission/denial.



The application stands disposed of.

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1. The plaint be registered as a suit.
2. Issue summons. Mr. Rudrajit Ghosh, learned counsel, waives formal service of summons on behalf of defendant Nos. 1, 2 and 5 to 9. Written statements of the said defendants may be filed within thirty days.
3. Other defendants may be served by all permissible modes. *Dasti* service, in addition, is also permitted. Affidavit of service be filed within ten days. They may file written statements within thirty days after service.
4. The summons shall indicate that written statements must be filed within thirty days from the date of receipt of summons. The defendants shall also file affidavits of admission/denial of the documents filed by the plaintiff, failing which the written statements shall not be taken on record.
5. The plaintiff is at liberty to file replications thereto within thirty days after filing of the written statements. The replications shall be accompanied by affidavits of admission/denial in respect of the documents filed by the defendants, failing which the replications shall not be taken on record.
6. It is made clear that any unjustified denial of documents may lead to an order of costs against the concerned party.
7. Any party seeking inspection of documents may do so in accordance with the Delhi High Court (Original Side) Rules, 2018.
8. The principal prayer in the present suit is for a declaration that the Will of late Mr. Ravindra Kumar Singhvi dated 05.09.2017 is null and void of no legal consequence. I am informed that the executors of the said



Will, have filed TEST. CAS. No. 59/2022 for probate of the said Will which is pending before a Co-ordinate Bench and is scheduled to be listed before the learned Joint Registrar on 01.05.2024.

9. Subject to orders of Hon'ble Judge In-Charge (Original Side), the present suit and applications therein be listed alongwith TEST. CAS. No. 59/2022, before the learned Joint Registrar on 01.05.2024 when further directions may be given for completion of pleadings and service, admission/denial of documents and marking of exhibits.

10. Next date of hearing before the Court i.e., 07.05.2024 stands cancelled.

I.A. 8015/2023 (u/O XI Rule 1 of CPC), I.A. 8016/2023 (for injunction), I.A. 8017/2023 (for permission to institute separate proceedings), I.A. 8814/2023 (for injunction), I.A. 9285/2024 (for injunction).

1. Issue notice. Mr. Rudrajit Ghosh, learned counsel, accepts notice on behalf of defendant Nos. 1, 2 and 5 to 9. Other defendants be served by all permissible modes. *Dasti* service, in addition, is also permitted. Affidavit of service be filed within ten days.

2. Mr. Manish Sharma, learned counsel for the plaintiff, does not press for *ad-interim* relief in these applications, reserving the plaintiff's right to seek appropriate orders after filing of affidavits. The plaintiff also reserves her right to take any other remedies, if available in law, against companies in which late Mr. Ravinder Kumar Singhvi held shares. It is made clear that this Court has not expressed any view on the maintainability or merits of such proceedings, if taken, by the plaintiff.

3. List on before the learned Joint Registrar for completion of pleadings, admission/denial of documents and marking of exhibits on



01.05.2024.

4. Next date of hearing before the Court i.e., 07.05.2024 stands cancelled.

APRIL 26, 2024
'Bhupi'/'

PRATEEK JALAN, J