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

+ CS(OS) 417/2022

RAJ PAL JAIN

..... Plaintiff

Through: Mr. Ujjwal K. Jha with Mr. Rishi K. Awasthi, Mr. Arpit Kadyan, Ms. Yukti and Mr. Shilp Agarwal, Advocates.

versus

VED PRAKASH JAIN & ORS

..... Defendants

Through: Mr. A.K. Singla, Senior Advocate with Mr. Akshit Saschdeva, Advocate.

**CORAM:**

**HON'BLE MR. JUSTICE AMIT BANSAL**

**ORDER**

% **26.08.2022**

**I.A. 11266/2022(for exemption)**

1. Subject to the plaintiff filing original, certified, clear and legible copies of any document on which the plaintiff may seek to place reliance, within four weeks from today, exemption is granted for the present.

2. The application is disposed of.

**I.A. 13583/2022(O-VI R-17 of CPC)**

3. Pursuant to the order dated 21<sup>st</sup> July, 2022, the present application has been filed seeking amendment of the plaint. Since summons are yet to be issued in the present suit, the application is allowed and the plaintiff is permitted to amend the plaint.

4. Amended plaint filed along with the application is taken on record.

5. The defendants shall be at liberty to raise all objections with regard to the amended plaint in their written statement(s).



**CS(OS) 417/2022 & I.A. 11265/2022(O-XXXIX R-1& 2 of CPC)**

6. Counsel for the plaintiff submits that the original memo of parties filed on 20<sup>th</sup> July, 2022 be taken as the correct memo of parties.
7. Let the plaint be registered as a suit.
8. Issue summons in the suit and notice in the application under Order XXXIX Rules 1 and 2 of the Code of Civil Procedure, 1908 (CPC).
9. Counsel for the defendants no.1 and 2 accepts summons in the suit and notice in the application under Order XXXIX Rules 1 and 2 of the CPC.
10. Summons in the suit and notice in the application be issued to the remaining defendants by all modes.
11. Written statement(s) be filed within thirty days from today. Along with the written statement(s), the defendants shall also file an affidavit of admission/denial of the documents of the plaintiff, without which the written statement shall not be taken on record.
12. Liberty is given to the plaintiff to file replication, if any, within fifteen days from the receipt of the written statement(s). Along with the replication filed by the plaintiff, an affidavit of admission/denial of the documents of the defendants, be filed by the plaintiff.
13. Reply to the application be filed within four weeks.
14. Rejoinder thereto, if any, be filed within two weeks thereafter.
15. List before the Joint Registrar on 19<sup>th</sup> October, 2022 for completion of service and pleadings.

**AMIT BANSAL, J.**

**AUGUST 26, 2022/at**