



\$~13

\*

+

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

**CS(OS) 191/2023**

**ANIL KUMAR VOHRA & ORS.**

..... Plaintiffs

Through: Mr. Shivam Goel & Ms. Ramya  
S. Goel, Advs.

versus

**RADHIKA JAIN & ORS.**

..... Defendants

Through: Ms. Ritika Chaubey & Ms.  
Swastika Singh, Advs. for  
D-1&2

**CORAM:**

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

**ORDER**

%

**07.12.2023**

**IA No.21773/2023 under Section 151 CPC moved by  
the plaintiff for direction to issue fresh summons of the  
suit and IA No.5503/2023**

Heard. The captioned IA stands allowed as prayed for. The process be returnable on 04.01.2024. At request, the process be given *dasti* in addition. The plaintiff is directed to file Affidavit of Service before the next date of hearing.

Accordingly, the captioned IA stands disposed of.

**IA No.20007/2023 under Section 5 of Limitation Act  
CPC moved by the defendant no.1 seeking condonation  
of delay in filing Written Statement alongwith Affidavit  
of Admission/Denial of the documents**

It is stated by learned counsel for the plaintiff that he has filed reply to the captioned IA on 26.10.2023 itself with copy to the opposite side. The same is on record. However, till date, the applicant has not filed rejoinder to the same. No plausible explanation has been furnished by the applicant for not filing the rejoinder till date. Learned counsel for the applicant seeks some time to file the same.

In the interest of justice and subject to imposition of cost of Rs.1500/- to be paid to the plaintiff by the defendant



no.1, two weeks time is granted to the applicant/defendant no.1 to file rejoinder with copy to the opposite side.

**CS(OS) 191/2023 & IA Nos.5503/2023 (Stay) moved by the plaintiff**

Counter Claim has not been filed by the defendant no.1 till date. It is stated by learned counsel for the defendant no.1&2 that she has filed Chamber Appeal assailing the orders dated 05.10.2023 & 12.10.2023 passed by this court.

The plaintiff has filed Additional Affidavit of Service affirming the correctness of email address of defendant no.34 to 37 on which service has been effected to defendant no.34 to 37 by the plaintiff. It is stated that said defendants have been served with summons of the suit and notice of the captioned IA through the said email on 17.08.2023. So, the defendant no.34 to 37 have been duly served through email dated 17.08.2023. However, neither any Written Statement nor reply to the captioned IA has been filed by defendant no.34 to 37. None is present on behalf of said defendants today to explain in this regard. So, the right of the defendant no.34 to 37 to file Written Statement and reply to the captioned IA is ordered to be closed.

Re-notify the matter for further proceedings on 04.01.2024.

**PRIYA MAHENDRA (DHJS)  
JOINT REGISTRAR (JUDICIAL)  
DECEMBER 7, 2023/ab**

*Click here to check corrigendum, if any*