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IN THE HIGH COURT OF DELHI AT NEW DELHI

CS(OS) 297/2021

SANJEEV JAIN

..... Plaintiff

Through: Mohd. Arham, proxy cl. (joined
through VC)

versus

MOHIT JAIN AND ORS

..... Defendants

Through: Mr. Sunil K. Kalra, Adv. for D-1
(joined through VC)
Mr. Tajinder Singh, Adv. for D-2
(joined through VC)
None for D-3

CORAM:

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

ORDER

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04.01.2024

CS(OS) 297/2021

Pleadings are complete qua defendant no.1&2.

As per office note, Affidavits of Admission/Denial of the documents filed by the plaintiff qua documents of defendant no.1 to 3, are on record. The same is perused. On perusal of the said Affidavits of Admission/Denial of the documents filed by the plaintiff, it is found that the same is completely ambiguous. Even on the last date of hearing i.e. 10.10.2023, it was found that proper Affidavit of Admission/Denial of the documents have not been filed by the plaintiff, defendant no.1 and defendant no.2 and they were directed to file proper Affidavit of Admission/Denial of the documents as per Chapter VII of Delhi High Court (Original Side) Rules. Despite the same, the plaintiff has not filed the proper Affidavit of Admission/Denial of the documents without furnishing any plausible explanation. Learned proxy counsel for the plaintiff seeks some more time to file proper Affidavit of



Admission/Denial of the documents. No ground is made out to give further opportunity to the plaintiff. However, solely, in the interest of justice and subject to imposition of cost of Rs.3000/- to be deposited with Delhi High Court Legal Services Committee by the plaintiff, one more last opportunity is granted to the plaintiff to file fresh/proper Affidavit of Admission/Denial of the documents within three weeks with copy to the opposite side.

As per office note, Affidavit of Admission/Denial of the documents filed by defendant no.1 is lying under objections. Learned counsel for the defendant no.1 is directed to take requisite steps within two weeks to bring the same on record.

It is stated by learned counsel for the defendant no.2 that he has also filed Affidavit of Admission/Denial of the documents yesterday vide diary no.6882/2024. However, the same is not on record. Learned counsel for the defendant no.2 is directed to take requisite steps within two weeks to bring the same on record.

Thereafter, the plaintiff is also directed to file soft copy as well as physical copy of fresh Joint Schedule of the documents compatible with fresh Affidavit of Admission/Denial of the documents filed by the parties, within two weeks.

Re-notify the matter for marking of exhibits to the documents on 22.03.2024.

PRIYA MAHENDRA (DHJS)
JOINT REGISTRAR (JUDICIAL)
JANUARY 4, 2024/ab

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