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IN THE HIGH COURT OF DELHI AT NEW DELHI

CS(COMM) 524/2023

ANURAG GUPTA

..... Plaintiff

Through: Mr. Abhiesumat Gupta & Mr.
Rahul Mangla, Advs.

versus

VINEET TREHAN & ANR.

..... Defendants

Through: Mr. Rohit Gandhi & Mr. Hargun
Singh Kalra, Advs. for D-1
Mr. Bharat Gupta, Adv. for D-2

CORAM:

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

ORDER

% **07.03.2024**

CS(COMM) 524/2023

**Pleadings qua defendant no.1 are already
complete.**

Written Statement alongwith Affidavit of Admission/Denial of the documents and documents filed the defendant no.2 are already on record. However, the plaintiff has not filed Replication alongwith Affidavit of Admission/Denial of the documents to the same till date. At this stage, it is stated by learned counsel for the plaintiff that he does not wish to file any Replication to the Written Statement of defendant no.2 but he seeks some time Affidavit of Admission/Denial of the documents on the ground that signatures of the plaintiff on the Affidavit is awaited. Learned counsel for the defendant no.2 submits that pursuant to the order dated 05.01.2024, he has supplied copy of documents filed by him along with Written Statement to learned counsel for the plaintiff through email on the same day i.e. 05.01.2024. He further

**submits that Chapter VII Rule 5&6 of Delhi High Court
(Original Side) Rules clearly provide that Affidavit of**

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Admission/Denial of the documents has to be filed by the plaintiff alongwith Replication and that the same period of limitation is provided for Admission/Denial of the documents as for the Replication. He further submits that the maximum permissible period of 45 days as provided in Rule 5 of Chapter VII of Delhi High Court (Original Side) Rules has already expired and therefore, the plaintiff has no legal right left under law to file Affidavit of Admission/Denial of the documents.

At this stage, learned counsel for the plaintiff submits that he will file an appropriate application in this regard alongwith Affidavit of Admission/Denial of the documents. Needless to say, Affidavit of Admission/Denial of the documents, if any, filed by the plaintiff shall be made part of the record as per law.

Re-notify the matter for completion of pleadings/further proceedings on 05.07.2024.

PRIYA MAHENDRA (DHJS)
JOINT REGISTRAR (JUDICIAL)

MARCH 7, 2024/ab

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