



**\$~17 to 21, A1 to A5**

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

**+ CS(OS) 1113/2007**

**JANAK DATWANI**

**.....Plaintiff**

Through: Mr. Vinit Trehan, Mr. Sushant Pal, Ms. Bhumi Agarwal & Mr. Yash Srivastava, Advs. with plaintiff in person

versus

**C.N.A. EXPORTS PVT. LTD. AND ORS. ....Defendants**

Through: Mr. Anand Datwani (D-2) in person  
Mr. Vivek Sharma, Ms. Mamta Gautam & Mr. Aditya Jain, Advs. for defendant/Mr. Kishan Datwani

**18**

**+ CS(OS) 556/2008**

**SMT.JAMNA DATWANI AND ANR.**

**.....Plaintiffs**

Through:

versus

**SH. ANAND DATWANI AND ORS. ....Defendants**

Through: Mr. Anand Datwani (D-1) in person  
Mr. Vinit Trehan, Mr. Sushant Pal, Ms. Bhumi Agarwal & Mr. Yash Srivastava, Advs. for D-3 with D-3 in person  
Mr. Akshay Ringe, Adv. for D-9 in IA no.2377/2024  
Mr. Nipun Joshi, Adv. for D-11  
Mr. Vivek Sharma, Ms. Mamta Gautam & Mr. Aditya Jain, Advs. for defendant/Mr. Kishan Datwani

**19**

**+ CS(OS) 1798/2011**

**JANAK DATWANI**

**.....Plaintiff**

Through: Mr. Vinit Trehan, Mr. Sushant Pal, Ms. Bhumi Agarwal & Mr. Yash Srivastava, Advs. with plaintiff in person

versus

**PACIFICA (INDIA) PROJECTS PVT. LTD & ORS**



.....Defendants

Through: Mr. Nipun Joshi, Adv. for D-1  
Mr. Anand Datwani (D-2) in  
person  
Mr. Vivek Sharma, Ms. Mamta  
Gautam & Mr. Aditya Jain,  
Advs. for defendant/Mr. Kishan  
Datwani

**20**

+ CS(OS) 244/2013  
JANAK DATWANI .....Plaintiff

Through: Mr. Vinit Trehan, Mr. Sushant  
Pal, Ms. Bhumi Agarwal & Mr.  
Yash Srivastava, Advs. with  
plaintiff in person

versus

C.N.A EXPORTS PVT LTD & ORS .....Defendants

Through: Mr. Anand Datwani (D-2) in  
person  
Mr. Vivek Sharma, Ms. Mamta  
Gautam & Mr. Aditya Jain,  
Advs. for defendant/Mr. Kishan  
Datwani

**21**

+ CS(OS) 155/2021  
JANAK DATWANI .....Plaintiff

Through: Mr. Vinit Trehan, Mr. Sushant  
Pal, Ms. Bhumi Agarwal & Mr.  
Yash Srivastava, Advs. with  
plaintiff in person

versus

KISHIN DATWANI .....Defendant

Through: Mr. Vivek Sharma, Ms. Mamta  
Gautam & Mr. Aditya Jain,  
Advs.

**A1**

+ CM(M) 867/2018  
SUSHMA RAVIDAS ..... Petitioner

Through: Ms. Aarzoo Aneja & Mr. Prateek  
Tanmay, Advs.

versus

JANAK DATWANI ..... Respondent

Through: Mr. Vinit Trehan, Mr. Sushant  
Pal, Ms. Bhumi Agarwal & Mr.



Yash Srivastava, Advs. with  
respondent in person

**A2**

+ CM(M) 1376/2018  
JANAK DATWANI ..... Petitioner  
Through: Mr. Vinit Trehan, Mr. Sushant  
Pal, Ms. Bhumi Agarwal & Mr.  
Yash Srivastava, Advs. with  
petitioner in person  
versus  
JAMNA DATWANI & ORS ..... Respondents  
Through: Mr. Anand Datwani in person  
Mr. Vivek Sharma, Ms. Mamta  
Gautam & Mr. Aditya Jain,  
Advs. for respondent/Mr. Kishan  
Datwani

**A3**

+ CONT.CAS(C) 66/2020  
M/S CAN EXPORTS (P) LTD ..... Petitioner  
Through:  
versus  
MANSI SHARMA & ORS ..... Respondents  
Through: Mr. Anand Datwani in person  
Mr. Vivek Sharma, Ms. Mamta  
Gautam & Mr. Aditya Jain,  
Advs. for respondent/Mr. Kishan  
Datwani

**A4**

+ FAO 141/2018  
SUSHMA RAVIDAS ..... Petitioner  
Through:  
versus  
M/S PACIFICA INFRASTRUCTURE PVT LTD & ORS.  
..... Respondents  
Through: Mr. Anand Datwani in person  
Mr. Vivek Sharma, Ms. Mamta  
Gautam & Mr. Aditya Jain,  
Advs. for respondent/Mr. Kishan  
Datwani

**A5**

+ FAO 142/2018  
JANAK DATWANI ..... Petitioner  
Through: Mr. Vinit Trehan, Mr. Sushant



Pl, Ms. Bhumi Agarwal & Mr.  
Yash Srivastava, Advs. with  
petitioner in person

versus

PACIFICA INFRASTRUCTURE PVT LTD & ORS.

..... Respondents

Through: Mr. Anand Datwani in person  
Mr. Vivek Sharma, Ms. Mamta  
Gautam & Mr. Aditya Jain,  
Advs. for respondent/Mr. Kishan  
Datwani

**CORAM:**

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

**ORDER**

% 23.07.2024

**CS(OS) 1113/2007, IA No.33541/2024 under Section  
151 CPC moved by Mr. Janak Datwani/plaintiff for  
directions**

1. At this stage, learned counsel for the plaintiff submits that he wants to withdraw the captioned IA.
2. Accordingly, the captioned IA stands disposed as being withdrawn.

**I.A.No.11173/2024 (under Section 151 CPC filed on  
behalf of defendant no.2 seeking order for grant of  
opportunity to file defendant's evidence by way of  
affidavit and list of witnesses to record defence  
evidence on 23/07/2024 & 24/07/2024); &**

**I.A.No.11174/2024 (under Section 151 CPC filed on  
behalf of defendant no.2 seeking exemption from filing  
certified copies, original copies, true typed copies,  
legible copies, translated copies and marginal copies of  
dim documents)**

3. In view of order dated 18.07.2024, both the captioned IAs filed by defendant no.2 have become infructuous and accordingly, disposed of.

**CS(OS) 1113/2007**

4. The order dated 18.07.2024, perused. The Hon'ble Court has directed this court to fix the date for recording of plaintiff's evidence after the next date fixed before the



Hon'ble Court i.e. 14.10.2024.

5. As per office note, physical copy of Evidence by way of Affidavit of plaintiff/Janak Datwani and physical copy of Evidence Affidavit of defendant no.6/Kishan Datwani are on record. Mr. Janak Datwani (PW1) is also present today in the court.

6. Re-notify the matter for recording evidence of the plaintiff on 22.11.2024. **At the joint request, the date previously fixed i.e. 24.07.2024, stands recalled.**

**CS(OS) 556/2008 & IA no.2377/2024 under Order IX Rule 8 r/w Section 151 CPC moved by the defendant no.9 for dismissal of the suit**

7. Court notice issued to the plaintiff no.1/Smt. Jamna Datwani received back un-served with report that security guard informed the process server that plaintiff no.1 is currently residing out of country and time of her return is not fixed.

8. Further, Court notice issued to plaintiff no.2 received back un-served with report no such company is running at the said address. So, the applicant is directed to file fresh address of plaintiff no.2.

9. At this stage, learned counsel for the defendant no.3 seeks some time to file reply to the captioned IA. At request, reply to the captioned IA be filed by defendant no.3 within two weeks with copy to the opposite side, who is at liberty to file rejoinder, if any, within three weeks thereafter with copy to the opposite side.

10. Fresh court notice be issued to plaintiff no.1 for the next date of hearing. The notice be affixed in case of non availability or refusal.

11. List the matter alongwith CS(OS) 1113/2007 on



22.11.2024. At the joint request, the date previously fixed i.e. 24.07.2024, stands recalled.

**CS(OS) 1798/2011**

12. List the matter alongwith CS(OS) 1113/2007 on 22.11.2024. At the joint request, the date previously fixed i.e. 24.07.2024, stands recalled.

**CS(OS) 244/2013, IA no. IA No. 16818/2023 on behalf of advocate for defendant no.4 u/s 151 CPC r/w Chapter V R.5, Delhi High Court (Original Side Rules), 2018 in CS(OS)244/2013**

13. While disposing of the captioned IA, the Hon'ble Court vide order dated 01.09.2023 ordered for issuing court notice to Sudharshan Kumar, POA holder of Sushma Ravi Dass/defendant no.4. It be also noted that the order dated 20.03.2024 also reflects that one counsel had filed Vakalatnama on behalf of attorney of defendant no.4. So, no further direction is required to be passed in the captioned IA.

**I.A.No.10390/2024 (under Section 151 CPC filed on behalf of defendant no.2 seeking permission to file defendants' evidence by way of affidavit and List of Witnesses in the connected and consolidate suit to record defendants' evidence); &**

**I.A.No.10391/2024 (under Section 151 CPC filed on behalf of defendant no.2 for exemption from filing certified copies, original copies, true typed copies, legible copies, translated copies and marginal copies of dim documents)**

14. In view of order dated 18.07.2024, both the captioned IAs filed by defendant no.2 have become infructuous and accordingly, disposed of.

15. List the matter alongwith CS(OS) 1113/2007 on 22.11.2024. At the joint request, the date previously fixed i.e. 24.07.2024, stands recalled.

**CS(OS) 155/2021**



16. List the matter alongwith CS(OS) 1113/2007 on 22.11.2024. **At the joint request, the date previously fixed i.e. 24.07.2024, stands recalled.**

**CM(M) 867/2018 , CM(M) 1376/2018, CONT.CAS(C) 66/2020, FAO 141/2018 and FAO 142/2018**

17. List the matter alongwith CS(OS) 1113/2007 on 22.11.2024. **At the joint request, the date previously fixed i.e. 24.07.2024, stands recalled.**

**PRIYA MAHENDRA (DHJS)  
JOINT REGISTRAR (JUDICIAL)**

**JULY 23, 2024/ab**

*Click here to check corrigendum, if any*