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IN THE HIGH COURT OF DELHI AT NEW DELHI

CS(OS) 53/2021

INDUPAL KAUR SEHGAL

.....Plaintiff

Through: Mr. Mankandeep Singh & Ms.
Lovee Tyagi, Advs. (joined
through VC)

versus

DR. DAVINDER PAL SINGH REKHI & ORS.

....Defendants

Through: Mr. Kamal Bansal, Adv. for
D-1&2 (joined through VC)
(Mob.9810911743)
Ms. Sonali Jain, Adv. for D-3
(joined through VC)

CORAM:

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

ORDER

% **24.07.2024**

CS(OS) 53/2021

1. In the present matter, Written Statement of defendant no.1&2 was taken on record vide order dated 26.08.2022. However, the plaintiff has not filed Replication to the same till date. 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.1&2 but wants to file Affidavit of Admission/Denial of the documents. The same is strongly opposed by learned counsel for the defendant no.1&2, who submits that the law prescribes same timeline for filing both Replication as well as Affidavit of Admission/Denial of the documents by the plaintiff.

2. I have carefully considered the submissions and perused the records.

3. Chapter VII, Rule 6 of Delhi High Court (Original Side) Rules clearly provides that the statutory period for



filing Replication and accompanying Affidavit of Admission/Denial of the documents is the same. The statutory period for filing both Replication and Affidavit of Admission/Denial of the documents has expired. Hence, the Affidavit of Admission/Denial of the documents stated to have been filed by the plaintiff cannot be taken on record and the same is directed to be struck off from the record. Thus, the documents filed by the defendant no.1&2 shall be deemed to be admitted by the plaintiff as per Chapter VII Rule 7 of Delhi High Court (Original Side) Rules.

4. The plaintiff is directed to file soft copy as well as physical copy of Joint Schedule of the documents within four weeks with copy to the opposite side.

5. Re-notify the matter for marking of exhibits to the documents on 30.09.2024.

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

JULY 24, 2024/ab

Click here to check corrigendum, if any