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IN THE HIGH COURT OF DELHI AT NEW DELHI

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TEST.CAS. 48/2022

VINOD KUMAR

..... Petitioner

Through: Mr. Prabhat Kumar Rai, Adv.

versus

STATE OF DELHI

..... Respondent

Through: Ms. Pavitra Kajur, Adv. for R-1
(joined through VC)

Mr. Deepanshu, Jr. Asstt. From
the office of SDM Kotwali,
Daryaganj, Delhi.

Mr. Vikram Baweja, Adv. for
R-2A, 2B(a) to (c), 2C and 2D
(Mob.9811107664) (joined
through VC)

Mr. Sanchit Garga & Mr. Mithu
Jain, Advs. for R-3
(Mob.8506812719, Email:
sanchitgarg99@gmail.com)

CORAM:

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

ORDER

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04.04.2024

**IA No. 21811/2022 under Order I Rule 9 CPC moved
by the respondent no.3 and**

**IA No.21812/2022 moved by the respondent no.3
seeking condonation of delay in re-filing IA
no.21811/2022**

As per record, reply to captioned IA i.e. IA
No.21811/2022 filed by the petitioner is already on record
and the right of the respondent no.3 to file rejoinder to IA
No.21811/2022 has already been ordered to be closed.

It is already stated by learned counsel for the
petitioner that he does not wish to file any reply to IA
No.21812/2023.

Thus, pleadings qua captioned IAs are complete.

Re-notify captioned IAs on the next date of hearing.



IA No.4080/2023 under Order I Rule 10 CPC moved by the petitioner

The respondent no.4 has not filed any reply to the captioned IA till date despite opportunity. None is present on behalf of respondent no.4 today to explain in this regard. So, the right of respondent no.4 to file reply is ordered to be closed.

Service report qua respondent no.5 is still awaited. Be awaited for the next date of hearing. At request, fresh notice of the captioned IA be issued to the respondent no.5 by all permissible modes on taking steps by the petitioner, returnable for the next date of hearing.

Learned counsel for the respondent no.2/1, 2/2/1, 2/2/2 & 2/3 already stated that he has no objection to captioned IA.

The right of the respondent no.3 to file reply has already been ordered to be closed.

At request, re-notify captioned IA on the next date of hearing.

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As per office note, Valuation Report qua property i.e. Shop No.29, Ground Floor, Rajendra Place, New Delhi filed by SDM Karol Bagh, Delhi is on record.

Learned counsel for the respondent no.1/State seeks four weeks' time to file Valuation Report qua property i.e. Ground Floor and Mezzanine Floor in property 13/37, Shakti Nagar, Delhi. At request, the same be filed within four weeks.

At this stage, it is stated by learned counsel for the petitioner that third property in question is situated at Kinari Bazar Agra, U.P. However, this fact is no so



mentioned in the Schedule A filed by the petitioner with the petition. Learned counsel for the petitioner submits that he will file an appropriate application in this regard within two weeks. Let needful be done as stated.

As per the record, No Objections Affidavits for grant of Probate have already been filed by the respondent no.4 & the respondent no.5.

Pleadings qua respondent no.2/1, 2/2/1, 2/2/2 & 2/3 are already complete.

Re-notify the matter for awaiting Valuation Report/further proceedings on 11.07.2024.

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

APRIL 4, 2024/ab

Click here to check corrigendum, if any