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

+ CM(M)-IPD 3/2026, CM 7/2026, CM 8/2026 & CM 9/2026

M/S CINNI FOUNDATION THROUGH ANJAN NARAIN SINGH

.....Petitioner

Through: Mr. Kirtiman Singh, Sr. Advocate with
Mr. Chandraprakash, Mr. Abhishek
Chatterjee, Mr. Abhinav Kumar and Mr.
Aindri Saha, Advocates

versus

SUMIT AGGARWAL & ORS.

.....Respondents

Through: Mr. Pankaj Kumar, Advocate for R-2.

(32)

+ CM(M)-IPD 1/2026, CM 1/2026, CM 2/2026 & CM 3/2026

ANJAN NARAIN SINGH & ORS.

.....Petitioners

Through: Mr. Kirtiman Singh, Sr. Advocate with
Mr. Chandraprakash, Mr. Abhishek
Chatterjee, Mr. Abhinav Kumar and Mr.
Aindri Saha, Advocates

versus

M/S CINNI FOUNDATION & ORS.

.....Respondents

Through: Mr. Pankaj Kumar, Advocate for R-2.

CORAM:

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

08.01.2026

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1. These are Civil Misc. Petitions under Article 227 of the Constitution of India challenging orders dated 08.12.2025 and 10.12.2025 in respect of (i) an application under Order IX Rule 7 of the Code of Civil Procedure, 1908, (hereinafter referred to as “CPC”) seeking setting aside of the order dated



22.04.2013 proceeding the petitioners *ex parte* as also the rejection of the application under Section 151 CPC r/w Section 11 of CPC filed by the defendant no 3 to 5 on 07.04.2014, (ii) application under Section 340 Cr.P.C filed by the defendant nos.3 to 5 and application under Order I Rule 10 read with Order 1 Rule 11 read with Order XXXI Rule 1 read with Order XXII Rule 10 CPC read with Section 151 CPC, respectively.

2. After some arguments, learned counsel are *ad idem* that the orders challenged in both the petitions can be set aside, subject to this Court passing directions for a time bound disposal of the suit filed and pending since the year 2009.

3. With the consent of both the parties, the following directions are passed:-

- i) The petitioners (contesting defendants) before the learned Trial Court are permitted to file the written statement alongwith the relevant documents within ten days from today i.e., by 17.01.2026. Replication thereto with relevant documents be filed within one week thereafter by the respondent/plaintiff i.e., by 24.01.2026.
- ii) The contesting defendants are permitted to take all legal objections in accordance with law in their written statement, to which the plaintiff will be entitled to respond in the replication and file documents in opposition.
- iii) The learned Trial Court shall permit the written statement alongwith the documents to be taken on record as also the replication to be filed by the respondent/plaintiff.
- iv) The admission/denial shall be carried out on affidavit by both the parties within 10 days thereafter i.e. by 03.02.2026.
- v) The issues be framed and the list of witnesses will be filed by both the parties within two weeks from the date of filing of the affidavit of admission/denial i.e. by 17.02.2026.
- vi) The respondent/plaintiff shall file the evidence by way of affidavits of



his witnesses thereafter, i.e. by 03.03.2026.

vii) Cross-examination of the respondent/plaintiff's witnesses may be commenced and completed within 45 days thereafter i.e. by 16.04.2026.

viii) Ten days' time thereafter shall be available to the defendants to file the evidence by way of affidavits of his witnesses i.e. by 26.04.2026.

ix) Cross-examination of defendants witnesses may be completed within 45 days thereafter i.e. by 08.06.2026.

x) Learned Trial Court shall make an endeavour to hear and dispose of the suit within two months from the conclusion of the evidence on behalf of the both the parties. Since vacations would intervene, the learned Trial Court may suitably adjourn the suit, but may endeavour to dispose of the suit within the stipulated time.

4. The application seeking dismissal of the suit as also application under Section 340 Cr.P.C. shall be decided at the stage of final hearing by the learned Trial Court.

5. The aforesaid order is subject to payment of costs of Rs.65,000/- to be paid by the contesting defendants to the respondent/plaintiff under a proper receipt. It is made clear that the learned Trial Court shall not be influenced by the status of the parties as arrayed in the present petitions.

6. The petitions stand disposed of in the aforesaid terms.

TUSHAR RAO GEDELA, J

JANUARY 8, 2026

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