

New Case No. 577358/16
CS No. 401/15

30.08.2016

Present: Sh. Arvind Jha, counsel for plaintiff.
Sh. Deepak Aggarwal, counsel for defendants no. 1 & 2.
Sh. Hemal Sheth, counsel for defendant no. 3.

As per record, written statement as well as leave to defend filed on behalf of the defendant no. 3 on 26.08.2016. Copies stated to have been supplied.

It is reflected from perusal of the record that the suit filed by the plaintiff is not under Order 37 CPC, therefore, the leave to defend application filed on behalf of the defendant is of no effect, hence, it can not be taken on record.

Advance copy of written statement of defendants no. 1 & 2 supplied, however, it is not filed on record. Counsel for defendants no. 1 & 2 seeks one opportunity for placing on record the signed copy of written statement on or before next date of hearing. In view of submissions, request is considered.

An application seeking waiver of cost is filed by the plaintiff. This application is not opposed by counsel for the defendant. Considering the facts and circumstances, application is allowed and cost is waived accordingly.

Be put up for filing of replication, admission/denial of the documents and for framing of issues on **25.10.2016**.

(Prashant Kumar)
ADJ-04(NW)/Rohini Courts
Delhi/30.08.2016