

06.05.2025

Present : Sh. O.P. Agarwal Ld. Counsel for plaintiff.
Ms. Deepshikha Ld. Proxy counsel for Sh. Sanjay Soti Ld. Counsel for D1 and D2.
Sh. Alok Pandey Ld. Counsel for D3 and D4.
None for D5/SR-IV.

Two applications seeking condonation of delay in filing WS has been filed on behalf of D3 and D4. Same be taken on record. Copy supplied. Since the same are filed without mentioning the provision of law, therefore, the same are being treated u/o 8 r 1 CPC.

By way of aforesaid applications, defendant no. 3 and 4 are seeking condonation of delay in filing their WS.

At this stage, Ld. Counsel for plaintiff fairly submits that he has no objection to the aforesaid applications filed by D3 and D4 and the same may be allowed, without cost.

Submissions heard. Record perused.

Keeping in view the aforesaid facts and circumstances, reasons mentioned in the aforesaid applications as well as on the basis of submissions made by the Ld. Counsel for D3 and D4, the no objection given by the Ld. Counsel for plaintiff, considering that it is well settled that the cases should be decided on merits, rather than on technicalities, also considering the fact that the present suit is at initial stage and issues are yet to be framed, **both the aforesaid applications are disposed of as allowed.**

The delay in filing the WS by D3 and D4 is hereby

condoned their joint WS is taken on record.

No reply/WS has been filed on behalf of D5/SR-IV.

At this stage, Ld. Counsel for plaintiff submits that he does not wish to file replication to the WS of D1 to D4. Heard. **In view of the above submissions, right of plaintiff to file replication is hereby closed.**

At this stage, the Ahlmad has produced the relevant application u/s 151 CPC seeking supply of deficit copies filed on behalf of D1 and D2, in terms of order dated 28.01.2025. Same be taken on record and is disposed of accordingly.

Matter be listed for completion of pleadings on 02.08.2025. Parties are directed to file affidavit of admission-denial of documents and proposed issues on or before NDOH. Advance copy of the same be exchanged with each other ten days prior to next date of hearing.

(Gaurav)
District Judge-01/ SHD
KKD/Delhi/06.05.2025_(ch)