

15.05.2017

Present: Counsel for the plaintiff with attorney of the plaintiff.

Sh. Vishal Chhabra, counsel for defendant nos.1 & 2 with
defendant no.1.

On 20.04.2017, defendant nos.1 & 2 was given two weeks time to file written statement under advance copy to counsel for the plaintiff, however, the said opportunity was availed by them. Neither the written statement filed by defendant nos.1 & 2 nor advance copy thereof given to counsel for the plaintiff. At this stage, counsel for defendant nos.1 &2 submits that written statement on behalf of the defendant no.1 could not be prepared within the time granted as he was out of station and therefore same is filed today and hence advance copy could not be supplied and same has been supplied to counsel for the plaintiff today. Written statement on behalf of defendant no.2 could not be prepared as she is out of station till today and seeks long adjournment for filing the written statement on the ground that defendant no.2 would come to Delhi in the end of July.

Heard.

For the oral submissions made herein above by counsel for defendnat nos.1 & 2 in respect to non filing of the written statement on behalf of defendant no.1, within the time limit granted, the delay in filing the same is condoned, however, subject to cost of Rs.2000/- to be deposited with DLSA by defendant no.1 and receipt thereof be filed on the next

date of hearing. Written statement on behalf of defendant no.1 is taken on record, subject to showing the receipt of deposition of cost with DLSA by defendant no.1 on the next date.

Request made on behalf of defendant no.2 for extension of time for filing the written statement on her behalf is declined and thus, her **right to file written statement stands closed.**

At this stage, counsel for the plaintiff seeks time to file replication as several contentions raised by the defendant no.1 in his written statement required to be rebutted. Let the same be filed on the next date.

Counsel for the plaintiff moved today an application for effecting service of defendant nos.3 & 4 through publication. Same is perused. For the reasons mentioned in the application the same is allowed. Defendant nos.3 & 4 be served through publication in the newspaper '**Veer Arjun**' on taking steps within a week from today for the next date. Copy of order be given dasti to counsel for the plaintiff at request.

Now to come up for filing of receipt of deposition of cost with DLSA by defendant no.1 and accordingly taking on record the written statement on behalf of defendant no.1, report qua defendant nos.3 &4, replication, if any, to written statement on behalf of defendant no.1 and further proceedings on 01.07.2017.

(Mohd. Farrukh)
ADJ/Pilot Courts/ Dwarka Courts(an)