

30.10.2018

Present: Ms. Meenu Ojha, Advocate, for the plaintiffs.
Defendant No.1 in person, for defendant No.1 & 2.
Sh. Tanvir Ahmad, Advocate, for defendant No.3 & 4.

Written statement along with photocopies of some documents and list of documents have been filed, on behalf of defendant No.1 & 2, along with reply to the application under Order XXXIX Rule 1 & 2 r/w Sec. 151 CPC. Copies of the same have been supplied to the Ld. counsel for the plaintiffs today only.

Written statement on behalf of defendant No.3 & 4 is also filed along with an application under Section 5 of the Limitation Act. Copies of the same are supplied to the Ld. counsel for the plaintiffs in the court today.

The Ld. counsel for the plaintiffs has moved an application under Order VIII Rule 10 CPC, for rejecting the written statements of the defendants.

Perusal of the record shows that vide orders dated 08.10.2018, the defendants were directed to supply the advance copies of their written statements, three days prior to the next date of hearing, i.e., today. But, the copies have been supplied to the Ld. counsel for the plaintiffs today only. Vide order dated 08.10.2018, it was further directed that in default a cost of Rs.2,000/- shall be deemed to have been imposed on the defaulting defendant.

In these circumstances, the written statements of the defendants shall be taken on record, only when, the cost imposed on the defendants, vide orders dated 08.10.2018, is paid by them to the plaintiffs.

The application, moved on behalf of the plaintiff, under Order VIII Rule 10 CPC is also disposed of accordingly.

Adjourned for filing of replication, if any, and for admission / denial of the documents and framing of issues on **11.02.2019**. Parties shall appear in person on the next date of hearing for admission / denial of the documents.

BRIJESH KUMAR GARG
Addl.Distt Judge(NE)-01
KKD Courts/Delhi
30.10.2018

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