



\$~39

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(OS) 1984/2015**
AJAY BHATIA Plaintiff

Through: Mr.Rajat Aneja, Ms.Aditi
Shastri, Advs.

versus

ANIL BHATIA & ORS Defendants
Through: Mr.Neeraj Sharma, Adv. for
D-3.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **11.05.2023**

I.A. 9109/2023 (exemption)

1. Allowed, subject to all just exceptions.

O.A. 52/2023

2. One of the grievances in the present appeal of the appellant is that the consent of the learned counsel appearing for the appellant for condoning the delay in filing of the written statement by the defendant no.3 has been wrongly recorded in the order dated 22.03.2023.
3. In my view, for such an averment, it would be appropriate for the appellant to first move the Court of the learned Joint Registrar (Judicial) which passed the impugned order.
4. The appeal is accordingly disposed of giving liberty to the appellant to file an appropriate application before the learned Joint Registrar (Judicial).
5. It is made clear that in case the appellant is aggrieved of the order passed by the learned Joint Registrar (Judicial) on such application, it shall be open to the appellant to challenge the order impugned in the present appeal along with the said order, in accordance with law.



6. It is also made clear that the Court has not expressed any opinion on the merits of the averments made in the appeal.
7. The appeal is accordingly disposed of.

MAY 11, 2023
RN

NAVIN CHAWLA, J