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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(OS) 80/2023**
GEORGE INSTITUTE FOR GLOBAL HEALTH & ORS.

..... Plaintiffs
Through: Mr. Nikhil A Menon, Adv.
(through VC)

versus

RAJESH ARORA Defendant
Through: Ms. Sugandha and Mr.
Rachit Devgun, Advs.

CORAM:
JOINT REGISTRAR (JUDICIAL) MS. SHUCHI
LALER (DHJS)

% **ORDER**
12.01.2024

I.A. 2173/2023 under Order XXXIX Rules 1 and 2 of
the CPC by plaintiff

1. As per office note, reply e-filed on behalf of defendant.
2. Learned counsel for plaintiff submits that the Hon'ble Court vide order dated 28.02.2023 directed that the reply be filed within four weeks whereas the reply has been filed in December, 2023 which is not accompanied with any application for condonation of delay, consequently the reply cannot be taken on record.
3. Learned counsel for defendant submits that the parties were exploring the possibilities of settlement in the mediation center, the settlement talks failed in May, 2023, thereafter the defendant made an effort to complete the proceedings.



4. Vide order dated 28.02.2023, the Hon'ble Court referred the matter to the mediation center but also directed the parties to complete their pleadings in the suit.

5. No cogent reason has been assigned by the defendant for the delay in filing reply to the captioned IA, however, in the interest of justice, the reply of defendant is taken on record subject to payment of cost of Rs. 3000/- to the plaintiff.

6. Rejoinder be filed within two weeks.

7. List for completion of pleadings on the next date.

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8. Written statement along with affidavit of admission/denial has already been filed by the defendant.

9. Learned counsel for plaintiff submits that there is a delay of 156 days in filing the written statement and no application for condonation of delay has been filed by the defendant.

10. Learned counsel for defendant seeks time to move an application for condonation of delay in filing the written statement. Same be filed within two weeks.

11. Re-notify the matter for completion of pleadings/further proceedings on 16.02.2024.

**SHUCHI LALER (DHJS),
JOINT REGISTRAR (JUDICIAL)
JANUARY 12, 2024/cd**

Click here to check corrigendum, if any