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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CS(OS) 18/2017

CHAND VIR SINGH & ANR

..... Plaintiffs

Through

Ms. Shikha Sapra, Mr. Jatin
Choudhary for Mr. Sumit Chander,
Advocates

versus

PRITAM SINGH & ORS

..... Defendants

Through

Ms. Tamali Wad, Mr. P. Anthony,
Mr. Deepak Aggarwal and Mr. O. P.
Aggarwal, Advocates for D-1 to D-6
Mr. Shadab Khan, Advocate for D-8
and D-9

CORAM:

SH. RAJESH KUMAR SINGH (DHJS), JOINT REGISTRAR

ORDER

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29.07.2017

IA No. 552/2017 (under Order XXXIX Rule 1 and 2 CPC)

Learned counsel for plaintiff submits that rejoinder was filed yesterday and copies were sent by courier. Learned counsel for plaintiff has supplied another copy to learned counsel for defendant No. 1 to 6. Learned counsel for plaintiff submits that the IA may be listed before Hon'ble Court.

IA be listed before Hon'ble Court on the date fixed i.e. 03.08.2017 for direction.

IA No. 4797/2017 (under Order VII Rule 11 CPC filed by defendants No. 1 to 6)

Rejoinder filed by the applicants. LRs of deceased defendant



No.3 are to be brought on record. Learned counsel for defendant No. 1 to 6 submits that the details of the LRs has been supplied to the plaintiff. Pleadings are complete.

IA be listed before Hon'ble Court on the date fixed i.e. 03.08.2017 for direction.

IA No. 8484/2017 (under Order XXII Rule 4 CPC filed by plaintiff to bring on record LRs of deceased defendant No.3)

It is stated in the IA that deceased defendant No.3 is survived by two LRs i.e. widow and a minor daughter. No application for appointment of guardian ad litem has been moved in respect of the proposed minor LR. Learned counsel for plaintiff submits that she will move the application. To save time, let the notice of this IA be issued to the proposed LRs as well as to the defendants. Learned counsel for defendants who are present, accept the notice and they have no objection to the IA. There is no need for separate notice on PF to the other defendants who are not present as this is a regular date of hearing and they are supposed to be present / represented before the court. Notice be issued to the proposed LRs on filing of PF/RC for 7th September, 2017. Steps be taken within three days.

IA No. 8582/2017 (under Order VIII Rule 1 CPC filed by defendants No. 8 and 9)

Notice of the IA is accepted by learned counsel for plaintiff and learned counsel submits that she has no objection. Learned counsel for defendants No. 1 to 6 has opposed the IA. Submission of learned counsel for the parties considered. Record perused. Vide order dated 20.04.2017 defendants No. 8 and 9 had been permitted to



file the written statement before the next date i.e. 18.07.2017. Extra time was granted in view of the facts and circumstances of the case. Defendants No. 8 and 9 have filed their written statements on 18.07.2017. Therefore, there is delay of 1 day and it is condoned. IA is allowed. Written statement of defendants No. 8 and 9 be taken on record. Copy of the written statement be also supplied to learned counsel for the other defendants.

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Replication, if any, to the written statement of defendants be filed within four weeks.

Adjourned to 7th September, 2017 for further proceedings.

**RAJESH KUMAR SINGH (DHJS)
JOINT REGISTRAR**

JULY 29, 2017
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