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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CS(OS) 98/2021, IA 5643/2024, IA 5644/2024, IA 9039/2021**

ASHOK TYAGI

..... Plaintiff

Through: Mr. Jayant Tewathia, Mr. Kartik Dabas,
Advs.

versus

NARESH TYAGI & ORS.

..... Defendant

Through: Mr. Birender Singh, Adv. for LR's of D-1.

CORAM:

JOINT REGISTRAR (JUDICIAL) MS. TYAGITA SINGH, (DHJS)

ORDER

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28.03.2024

Matter is taken up through physical hearing as well as video conferencing.

CS(OS) 98/2021

Perusal of previous orders reveals that defendants no. 2,3,4 and 5 have already been duly served with summons of the suit but none has appeared on behalf of the said defendants and they have not filed any Written Statement till date.

Keeping in view the fact that statutory period of limitation for filing Written Statement has already expired long time back, **right of defendants no. 2,3,4 and 5 for filing Written Statement stands closed.**

Written Statement of defendant no.1 is already on record but replication was not filed by plaintiff and the application u/O VI Rule 17 CPC for amendment of the plaint was filed.

CS(OS) 98/2021

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**IA 5643/2024 (Application u/s. 151 CPC filed by LR's of defendant no.1)
IA 5644/2024 (Application u/S. 151 CPC r/w Sec. 5 Limitation Act filed
by LR's of defendant no.1)**

The abovesaid applications have been filed by LR's of defendant no.1 but due to some clerical error, it was mentioned in the last order that applications have been filed by plaintiff. The order stands rectified to the effect that both the application have been filed by LR's of defendant no.1.

Notice accepted. Ld. Counsel for plaintiff has stated that he has not received copy of both the IAs. At request, copy of both the IAs be supplied today itself by way of e-mail to Ld. Counsel for plaintiff. Reply, if any, may be filed within two weeks with advance copy to Ld. Counsel for LR's of defendant no.1.

IA 9039/2021 (Application u/O VI Rule 17 CPC filed by plaintiff)

Reply has been filed by LR's of defendant no.1 which is subject to abovesaid IAs. However, rejoinder has already been filed by plaintiff to the reply of LR's of defendant no.1.

Matter is already coming up before Hon'ble Court on 03.04.2024.

**TYAGITA SINGH, (DHJS),
JOINT REGISTRAR (JUDICIAL)**

MARCH 28, 2024/sm