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

+ CS(OS) 171/2024, I.A. 44446/2024, I.A. 4737/2024

SHRI SURBIR SINGH LAMBAPlaintiff

Through: Mr. Surbir S. Lamba, Adv.
Mr. Harsh Vardhan Singh & Mr. Nitin
Kasana Advs. (through VC)

versus

SHRI HARBHAJAN SINGH CHANDOK AND ORS

.....Defendants

Through: Ms. Mansi Jain, Adv. for R-1, 2 & 5
(through VC)
Mr. Tejas Gupta, Adv. for D-6

CORAM:

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

ORDER

% **09.01.2025**

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

I.A. 44446/2024 (Application u/O VIII Rule 1 CPC filed by defendants no. 1,2 and 5 for condonation of delay of 33 days in filing Written Statement)

Ld. Counsel for plaintiff has stated that he does not wish to file Reply. Arguments heard.

Keeping in view the facts and circumstances mentioned in the application, the application stands allowed and delay in filing Written Statement is condoned. The joint Written Statement of defendants no.1 ,2 and 5 is taken on record. **I.A. stands disposed off.**

I.A. 4737/2024 (Application u/O XXXIX Rule 1 and 2 CPC filed by plaintiff)

Reply has not been filed by any of the served defendants. Reply may be filed by the served defendants within two weeks with advance copy to Ld. Counsel for plaintiff by way of e-mail. Rejoinder if any may be filed thereafter.

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The joint Written Statement of defendants no.1 ,2 and 5 is taken on record today. Replication if any may be filed by plaintiff within four weeks with advance copy to the opposite party.

Ld. Counsel for defendant no.6 has stated that Replication has not been filed by plaintiff till date to the Written Statement of defendant no.6 and limitation period for filing Replication has expired. Ld. Counsel for plaintiff has stated that copy was not supplied due to which the Replication has not been filed.

Ld. Counsel for defendant no. 6 has stated that copy of Written Statement was supplied at the time of filing of Written Statement as well as after Order dated 11.09.2024 as per directions of Ld. Predecessor and he will file proof of the same on or before next date of hearing.

The proof of service be filed with the Registry before the next date. Perusal of previous file noting reveals that service of defendants no. 3,4,7 and 8 is incomplete. Ld. Counsel for plaintiff undertakes to file fresh address of defendants on record on or before next date of hearing.

At request, be fixed for further proceedings on 18.03.2025.

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

JANUARY 9, 2025/sm