



\$~23

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

+ CS(OS) 136/2021

MR. JAGAT NARAIN MEHRA Plaintiff

Through: Mr. Siddharth Arora,
Advocate appeared
physically

versus

MR. PRAKASH KISHORE & ORS. Defendants

Through: Counsel (appearance not
given)

CORAM:

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

ORDER

%

14.02.2023

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

**IA No. 2925/2023 (application filed by the plaintiff u/S 5 of
the Limitation Act r/w Section 151 CPC for condonation of
delay in filing the replication to the amended written
statement of defendants) and IA No. 2926/2023 (application
filed by the plaintiff u/S 5 of the Limitation Act r/w Section
151 PCC for condonation of delay in re-filing of IA No.
2925/2023)**

Plaintiff has filed this fresh application for condonation of
delay of 15 days in filing replication alongwith application for
condonation of delay of 19 days in re-filing IA No. 2925/2023.

Notice accepted by learned counsel for defendants. Copy
supplied.

Learned counsel for defendants has strongly opposed the
application on the ground that delay has not been explained
properly.



On the other hand, learned counsel for the plaintiff has stated that delay is neither intentional nor deliberate and it was caused due to the fact that plaintiff is senior citizen and aged about 73 years old and he is not well.

Heard. Both IAs stand allowed. Delay of 19 days in re-filing IA No. 2925/2023 is condoned and IA No. 2925/2023 is taken on record.

IA No. 2925/2023 for condonation of delay of 15 days in filing replication is allowed and replication is taken on record, subject to cost of Rs. 2,000/- to be deposited with Delhi High Court Legal Services Committee by the plaintiff before the next date of hearing.

Both IAs stands disposed off.

CS (OS) 136/2021

Plaintiff is directed to file Joint Documents Schedule within four weeks with advance copy to the opposite parties. Both the parties are directed to take steps for filing original signed pleadings and hard copies of the documents on record atleast one week before the next date of hearing. Both the parties are directed to appear alongwith original documents for marking of exhibits on the documents on the next date of hearing. The concerned official is directed to complete the file in all respects before the next date of hearing.

Put up for admission/denial and for marking of exhibits on the date already fixed i.e. 20th April, 2023.

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

FEBRUARY 14, 2023

savita

CS(OS) 136/2021

Page 2 of 2