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

+ CS(OS) 185/2021 & I.A. 4684/2021(O-26 R-9), I.A. 4686/2021 (O-39 R-1& 2), I.A. 4687/2021(u/s 17 r/w 151), I.A. 10604/2021(O-7 R-11), I.A. 14965/2021(u/s 151 cpc), I.A. 14966/2021(O-11 R-12 & 14), I.A. 14967/2021(O-39 R-2A), I.A. 14969/2021(O-10 R-2&3), I.A. 676/2022(O-11 R-12, 13 & 14)

MASTER ARMAAN GULATI (MINOR) & ANR. Plaintiffs

Through: Mr. R.Y. Kalia, Advocate

versus

GEETA GULATI, ALIAS SWARAN KANTA & ORS.... Defendants

Through: Mr. Ankit Jain, Mr. Abhay Pratap Singh and Ms. Sunaina Bhatia, Advocates for defendant No.2

Mr. L.R. Goyal, Advocate for defendant No.5/Axis Bank

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

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22.04.2022

O.A.10/2022 (for setting aside order dated 6th January, 2022)

1. This is a chamber appeal filed on behalf of the applicant/defendant no.2 impugning the order dated 6th January, 2022 passed by the Joint Registrar, whereby the right of the defendant no.2 to file written statement was closed.

2. Counsel for defendant no.2 has drawn attention of the Court to the order dated 10th January, 2022 passed by the Supreme Court in *Suo Moto Writ Petition (C) No. 3/2022* titled ***In Re: Cognizance for Extension of***



Limitation, wherein it has specifically been stated that the period from 15th March, 2020 till 28th February, 2022 will be excluded for the purposes of calculating limitation. Admittedly, the written statement in the present case was filed before 28th February, 2022. Joint Registrar did not have the benefit of the Supreme Court order that was passed only on 10th January, 2022 as the impugned order was passed on 6th January, 2022.

3. In view of the above, the present chamber appeal is allowed and the written statement filed on behalf of the defendant no.2 is permitted to be taken on record.

4. Counsel for defendant no.2 shall file the duly notarized/apostilled affidavit(s) in support of the written statement as well as the admission/denial of documents within eight weeks from today.

CS(OS) 185/2021

5. The mediation proceedings are still underway.

6. List on 2nd August, 2022.

I.A. 1769/2022(u/S-45 & 73 of Indian Evidence Act)

7. Last opportunity of three weeks is given to the defendant to file reply to the application.

8. List on 2nd August, 2022.

AMIT BANSAL, J.

APRIL 22, 2022

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