



\$~9

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CS(OS) 244/2021 and IA No. 13696/2021 (application filed by defendant no.8 u/S 151 CPC seeking exemption from filing original documents) and IA No. 13697/2021 (application filed by defendant no.8 u/S 151 CPC seeking exemption from filing certified/typed/clear copies of the documents)

VIPIN WADHWA

..... Plaintiff

Through Counsel (appearance not given)

versus

PRASHANT ENTERPRISES & ORS. Defendants

Through Mr. Rajesh Kumar Luthra, Advocate
for Defendant nos. 2 and 3

Ms. Nikita Garg, Advocate for
Defendant no.8

(M: 9945767507) (mail: nikita.garg@keystone.law)

CORAM:

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

ORDER

% **03.02.2022**

Hearing of this Matter has been taken up through video conferencing on account of on going pandemic of COVID-19

The matter has been taken up through video conferencing in terms of directions vide Office Order No. 896/RG/DHC/2021 dated 30.12.2021 and vide Circular No. 1/RG/DHC/2022 dated 12.01.2022.

IA No. 6402/2021

Perusal of the order dated 06.09.2021 of the Hon'ble Court reveals that the present application has already been disposed off. **Registry is directed not to list this IA again in the cause list.**

CS(OS) 244/2021

Page 1 of 3



IA No. 7367/2021 (application filed by the plaintiff under Order XXXIX Rules 1 & 2 r/w Section 151 CPC for grant of ex-parte ad-interim injunction)

Reply filed by defendant no.8.

IA No. 13695/2021 (application filed by defendant no.8 u/S 149 r/w Section 151 CPC seeking permission to pay court fees)

Learned counsel for defendant no.8 has stated that she has filed deficient court fees vide Dy. No. 1021435 dated 03.12.2021. However it is lying under objections. Learned counsel for defendant no.8 is directed to remove the objections before the next date of hearing.

IA No. 13698/2021 (application filed by defendant no.8 u/O VIII Rule 1 r/w Section 151 CPC seeking enlargement of time for filing written statement)

The present application has been filed by defendant no.8 for condonation of delay of 18 days in filing written statement due to change of counsel.

Heard. In view of the grounds stated in the application, the present application is allowed and delay of 18 days in filing written statement is condoned.

IA stands disposed off.

CS(OS) 244/2021

Written statement of defendant no.8 has been taken on record today.



Learned counsel for defendant no.7 submits that she has filed written statement today itself vide Dy. No. 132133, but the same is not come on record. Learned counsel for defendant no. 7 is directed to remove the objections so that it comes on record before the next date of hearing.

Learned counsel for defendant nos. 2 and 3 submits that he has filed written statement and affidavit of admission/denial of documents vide Dy. No. 74763/2022 and 74759/2022 dated 21.01.2022. As per file noting, affidavit of admission/denial of documents filed by defendant nos. 2 and 3 is on record and written statement filed vide Dy. No. 74759 dated 21.01.2022 is returned under objections. Learned counsel for defendant nos. 2 and 3 has stated that he has removed the objections and re-filed it yesterday and it will come on record in due course. Soft copy be supplied at the email address of learned counsel for the plaintiff.

Replication to written statement of defendant nos. 2,3,7 and 8 be filed as per law with advance copy to the opposite parties.

Service report of defendant nos. 1,4,5 and 6 is not clear as affidavit of service filed by the plaintiff vide Dy. No. 171734 dated 16.08.2021 which is still lying under objections. At request, fresh summons be issued to defendant nos. 1,4,5 and 6 by all permissible modes including electronic mode. Fresh affidavit of service be filed before the next date of hearing.

Put up for completion of pleadings on 11th April, 2022.

TYAGITA SINGH, (DHJS)
JOINT REGISTRAR (JUDICIAL)

FEBRUARY 3, 2022

savita
CS(OS) 244/2021

Page 3 of 3