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

+ CS(OS) 274/2024, I.A. 30208/2024, I.A. 36243/2024 , I.A.

36247/2024, I.A. 7675/2024

GAURAV BHATIA

.....Plaintiff

Through: Mr. Raghav Awasthi, Mr. Mukesh Sharma,
Advs. (Through VC)

versus

NAVEEN KUMAR & ORS.

.....Defendant

Through: Mr. Hemraj Singh, Adv. for D-1.
Mr. Sawawar, Ms. Nujhat Naseem, Adv. for
D-2 mp@legaloxic.net
Mr. Akshat Srivasav, Adv. for D-5.
Ms. Asavari Jain, Adv. for D-14.
Mr. Abhishek Kumar, Adv. for D-15
(Through VC)

CORAM:

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

ORDER

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13.08.2024

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

I.A. 30208/2024 (Application u/S. 5 Limitation Act filed by defendant no.1 for condonation of delay in filing Written Statement)

Ld. Counsel for plaintiff has stated that as per the application, there is delay of only 11 days in filing Written Statement , therefore, he has no objection to the application.



Keeping in view the abovestated submissions of the parties and facts and circumstances mentioned in the application, application stands allowed and Written Statement alongwith affidavit of admission/denial filed by defendant no.1 is taken on record. **I.A. stands disposed off.**

I.A. 36243/2024 (Application u/O VIII Rule 1 CPC filed by defendant no.15)

I.A. 36247/2024 (Application u/O I Rule 10 CPC filed by defendant no.15)

Notice accepted by Ld. Counsel for plaintiff and he seeks some time for filing Reply.

Reply be filed within four weeks with advance copy to the applicant. Counsels for the parties are directed to share their e-mail IDs in attendance. Rejoinder, if any, may be filed thereafter.

I.A. 7675/2024 (Application filed by plaintiff u/S. 151 CPC for directions to defendant no.15)

Reply has been filed by defendant no.15. Copy supplied. Rejoinder, if any, may be filed within four weeks with advance copy to the opposite party.

CS(OS) 274/2024

Written Statement of defendant no.1 has been taken on record today. However, perusal of file noting as well as PDF record reveals that Written Statement filed by defendant no.1 has not been passed by the Registry. Ld. Counsel for defendant no.1 is directed to verify with the Registry and to get it placed on record before the next date of hearing.



Perusal of file noting reveals that Replication has already been filed by the plaintiff to the Written Statement of defendant no.1 but it is lying under objection. Objections be removed, so that it comes on record. Ld. Counsel for plaintiff has stated that defendant no.1 has not filed any supporting documents with Written Statement due to which affidavit of admission/denial has not been filed with Replication.

Perusal of file noting reveals that Written Statement filed by defendant no.2 is lying under objections. Objections be removed within one week so that it comes on record. Copy be supplied to Ld. Counsel for plaintiff by way of e-mail. Ld. Counsel for defendant no.2 has stated that she has filed application for condonation of delay but it is lying under scrutiny. Objections be removed within one week so that it comes on record.

Written Statement alongwith affidavit of admission/denial has been filed by defendant no.5 which has been passed by the Registry. Ld. Counsel for defendant no.5 has stated that he has filed application for condonation of delay which is under scrutiny and has not been listed yet. Objections be removed within one week so that it gets listed.

Written Statement filed by defendant no.14 is lying under objections. Objections be removed within one week, so that it comes on record.

Ld. Counsel for plaintiff has stated that other defendants have remained unserved as their detailed addresses are not known to plaintiff and Basic Subscriber Information (BSI) has not been provided by defendant no.15 X-Corp. despite requests.

Be fixed for completion of pleadings and further hearing on 11.11.2024.

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

AUGUST 13, 2024/sm