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

+ **CM(M) 2315/2024**

**RAJENDER KUMAR**

..... Petitioner

Through: Mr. Abhishek, Mr. Satish and Ms.  
Nishtha Sharma, Advs.

versus

**SH. VARUN GAUTAM & ANR.**

..... Respondents

Through: None.

**CORAM:**

**HON'BLE MS. JUSTICE SHALINDER KAUR**

**ORDER**

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**09.04.2024**

**CM APPL. 21121/2024—Exp.**

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

**CM(M) 2315/2024, CM APPL. 21120/2024—stay**

3. The present petition under Article 227 of the Constitution of India has been filed impugning the order dated 21.09.2023 passed by the learned Additional District Judge-03, Rohini Courts, North District, Delhi in CS DJ No. 223/23 titled as “Varun Gautam vs. Rajender Kumar” whereby the application under Section 5 of the Limitation Act, 1963 seeking condonation of delay was dismissed and right to file written statement was closed. The petitioner herein is the defendant before the learned Trial Court.
4. Learned counsel for the petitioner submits that he will file the service



report on him by the learned Trial Court, within two weeks.

5. Issue notice.

6. On taking steps by the petitioner, let service be effected upon the respondents through all permissible modes including via approved courier service, returnable on 09.07.2024.

**SHALINDER KAUR, J.**

**APRIL 09, 2024/ss**