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

+ CS(COMM) 220/2019 & I.A. No.6180/2019 (u/O XXXIX
R-1 & 2 CPC)

SOLOMAN ENGINEERS PVT. LTD. Plaintiff

Through: Mr. Umesh Mishra, Advocate.

versus

DELHI DEVELOPMENT AUTHORITY & ORS. Defendants

Through: Ms. Beenashaw N. Soni, ASC for D-1.
Mr. S.B. Upadhyay, Advocate for D-2.
Mr. Shivam Malhotra, Advocate for D-4.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

% **14.10.2019**

1. None of the defendants have filed the written statement.
2. The counsel for defendant No.1/DDA states that complete paperbook was served on 31st July, 2019.
3. The counsel for the plaintiff confirms and states that complete paperbook was furnished to counsels for defendants No.1, 2, 4 and 6 also on 31st July, 2019.
4. The 30 day's time therefrom expired with the last day of August, 2019. No application for extension of time for filing written statement has been filed by any of the defendants.
5. The counsel for the defendant No.1 states that the written statement has been prepared and sent for signatures but could not be filed because the documents were not traceable.

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6. The counsel for defendant No.2 and the counsel for defendant No.4 have no explanation for not filing the written statements till date and/or for not applying for extension of time for filing written statements even if had any reasons therefor.
7. None appears for defendants No.3, 5, 6 and 7.
8. The order dated 25th July, 2019 records that the defendant No.3 had not been served but the office noting on the order dated 25th July, 2019 is of the defendant No.3 having been served on 13th August, 2019. None appeared for the defendant No.3 on any of the subsequent dates.
9. The defendant No.5 was reported to have been served in the order dated 25th July, 2019 and none has been appearing on his behalf.
10. The counsel for defendant No.6 appeared before the Court on 25th July, 2019 and 17th September, 2019 but did not appear on 9th October, 2019.
11. The defendant No.7 is also recorded to be served in the order dated 25th July, 2019 and has not been appearing.
12. The defendants No.3, 5, 6 and 7, namely, Mahesh Pal Singh, Peeyush Aggarwal, Rajesh Luthra and Ajay Singh respectively are proceeded against ex-parte.
13. Considering the nature of the suit, time till 21st October, 2019 is granted to the defendants No.1, 2 and 4, to, if desire, file written statements, failing which the right to file written statement shall stand closed without any further orders.



14. If any written statements are filed, the replications thereto be filed within 30 days.

15. List for consideration/framing of issues on 28th April, 2020.

OCTOBER 14, 2019
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RAJIV SAHAI ENDLAW, J.