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

+ CS(OS) 303/2024, I.A. 43885/2024, I.A. 43886/2024, I.A.
8673/2024

SONIA KASHYAP & ORS.

.....Plaintiff

Through: Mr. Shekhar Dasi, Mr. Ayush Dassi, Advs.

versus

SATISH KUMAR & ORS.

.....Defendant

Through: Mr. Ruchir Batra, Advs. for D-2 to 5 & 12
M. 9811278762,

adv.ruchirbatra@gmail.com

Mr. G.D. Sharma, Mr. Parmesh Bali,
M.9868281911, M. 9868111965 Advs. for
D-6.

Mr. Deepak Tanwar, Mr. Rajeev Kumar,
Advs. M. 9582124124, for D-7 to 11

advdeepaktanwar@gmail.com

CORAM:

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

ORDER

% **09.12.2024**

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

I.A. 43885/2024 (Application for condonation of delay filed by defendants no.7 to 11)

I.A. 43886/2024 (Application for condonation of delay filed by defendants no.2 to 6)

Ld. Counsels for defendants have stated that delay in filing Written Statements has been caused as the parties are second and third generation of descendants of the predecessor and time was taken in collecting the documents and filing compiled Written Statements on behalf of defendants.



Ld. Counsel for plaintiff has objected that both the applications are supported with affidavits of counsels instead of affidavits of the parties.

Ld. Counsels for defendants have stated that discussions were carried on for many days with all the defendants and delay was caused in this process due to which affidavits of counsels have been filed with the applications.

Keeping in view the facts and circumstances mentioned in the applications, both the applications stand allowed and delay in filing Written Statements on behalf of defendants no. 7 to 11 as well as on behalf of defendants no. 2 to 6 is condoned. **Both the I.As stand disposed off.** Written Statements of defendants no. 7 to 11 and 2 to 6 are taken on record.

I.A. 8673/2024 (Application u/O XXXIX Rule 1 and 2 CPC filed by plaintiff)

I.A. 8674/2024 (Application u/O XI Rule 14 CPC filed by plaintiff)

Rejoinder has been filed by plaintiff to the Reply of defendant no.1. **Pleadings are complete in both the abovesaid IAs qua defendant no.1.** Other defendants have not filed any Reply till date. Last opportunity is granted to other defendants for filing Reply within four weeks with advance copy to plaintiff.

CS(OS) 303/2024

Written Statements of all the defendants no. 7 to 11 and 2 to 6 have come on record. Replications have been filed by plaintiff to the Written Statements of all the defendants. **Pleadings are complete qua all the defendants no. 2 to 6 and 7 to 11.**



Perusal of previous file notings and orders reveal that defendant no.13,14 and 15 have also been served with summons by way of ordinary mode but till date, none has appeared on their behalf and they have not filed any Written Statement till date. Prescribed limitation period for filing Written Statement has already expired. Hence **right of defendants no. 13,14 and 15 to file Written Statement stands closed.** It is stated that NOC has been filed on behalf of defendant no.12.

At request of Ld. Counsel for defendant no.1, copy of Written Statement of all the defendants be shared with him by way of e-mail. Ld. Counsels for all the parties are directed to share their contact details and e-mail IDs with each other as well as in attendance.

Ld. Counsel for defendants no. 2 to 5 and 12 has requested that he seeks discharge on behalf of defendant no.6 as new counsel for defendant no.6 has been engaged. Ld. Counsel for defendant no. 6 has put up appearance online. Vakalatnama be filed within one week. Ld. Counsel for defendants no. 2 to 5 and 12 need not appear on behalf of defendant no.6 henceforth.

At request of all the parties, matter is being referred to Mediation. The parties are directed to appear before the Delhi High Court Mediation and Conciliation Centre on 13.01.2025 at 3 PM.

Be fixed for report of Mediation/further proceedings on 24.02.2025.

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

DECEMBER 9, 2024/sm