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

+ **CS(OS) 377/2022**

WASEEM AHMED

.....Plaintiff

Through: Mr. S.D. Ansari, Adv. (physically)
with Mr. I. Ahmed, Adv. (through
VC).

Versus

NASIM AHMED & ORS.

.....Defendant

Through: Mr. Anis Ahmed, Adv. for D-1
(through VC).

Mr. Miraz Nazim Beg, Advocate
for D-2.

Mr. Raghav Rajmolani with Mr.
Rahul Sagar Sahay, Adv. for D-3
(through VC).

CORAM:

**JOINT REGISTRAR (JUDICIAL) SH. DEVENDER
KUMAR GARG (DHJS)**

ORDER

28.02.2023

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**I.A. No. 1007/2023 (by defendant no.3 u/S 151 of CPC for
seeking condonation of delay of 119 days in filing written
statement).**

1. Ld. Counsel for plaintiff submits that he has not received copy of the captioned IA.
2. Ld. Counsel for defendant no.3 submits that he has already supplied the same through email, however, without going into any controversy, he will again supply the same within one week from today. Let the same be supplied accordingly.



3. Ld. Counsel for plaintiff accepts notice of captioned IA and seeks at least four weeks time to file reply to the same.
4. It is submitted that the main matter is coming up for hearing before the Hon'ble Court on 17.03.2023.
5. At joint request, let the captioned IA be placed before Hon'ble Court for further directions on the date already fixed i.e. **17th March, 2023.**

I.A. No. 9829/2023 (u/O XXXIX Rules 1 and 2 of CPC moved by plaintiff)

1. As per office noting, nothing fresh has been filed.
2. Perusal of record shows that separate replies to the captioned IA already filed on behalf of defendant no.1 and defendant no.2.
3. No rejoinder to the said replies of defendants no.1 and 2 filed on behalf of the plaintiff.
4. No reply to the captioned IA was filed on behalf of the defendant no.3.
5. It is submitted that the captioned IA is coming up for hearing before the Hon'ble Court on 17.03.2023.
6. Let the captioned IA be placed before the Hon'ble Court for further directions on the date already fixed i.e. **17th March, 2023.**

CS(OS) 377/2022

1. As per office noting, nothing fresh has been filed.
2. Perusal of record would show that separate written statements alongwith affidavits of admission/denial of documents already filed on behalf of defendant no.1, defendant no.2 and defendant no.3.
3. An application for condonation of delay in filing written



statement on behalf of defendant no.3 is pending for consideration.

4. The plaintiff may file replication alongwith affidavit of admission/denial of documents filed on behalf of plaintiff qua defendants no.1 to 3.
5. It is submitted that the matter is coming up for hearing before the Hon'ble Court on 17.03.2023.
6. Let the matter be placed before the Hon'ble Court for further directions on date already fixed i.e. **17th March, 2023.**

DEVENDER KUMAR GARG (DHJS)
JOINT REGISTRAR (JUDICIAL)

FEBRUARY 28, 2023/v

Click here to check corrigendum, if any