



\$~6

*

+

IN THE HIGH COURT OF DELHI AT NEW DELHI

CS(OS) 385/2021

BHUSHAN KUMAR MANCHANDAPlaintiff

Through: Mr. Nimish Chib, Adv. (joined
through VC)

versus

RAJNI NARANG & ANR.Defendants

Through: Ms. Bharti Tyagi & Mr. Vikas
Kumar, Advs. for D-1 (joined
through VC)

Mr. Achin Mittal & Mr. Aditya
Parmar, Advs. for D-3

CORAM:

**JOINT REGISTRAR (JUDICIAL) MS. PRIYA
MAHENDRA, (DHJS)**

ORDER

% 27.01.2025

**IA 10724/2023 (Application u/O VIII Rule 1 CPC filed
by defendant no.3 for condonation of delay in filing
Written Statement)**

1. Learned counsel for the defendant no.3 submits that the right of the plaintiff to file reply to the captioned IA has already been closed.
2. Adjournment is sought by learned counsel for the plaintiff for arguments of the captioned IA.
3. Parties are directed to file relevant case laws in support of their respective submissions within four weeks with copies to be exchanged.
4. Re-notify the captioned IA for arguments on the next date of hearing.

CS(OS) 385/2021

5. Learned counsel for the plaintiff has appeared on service of court notice. It be noted that the record reflects that plaintiff is not diligently pursuing the present matter. So, heavy cost will be imposed upon the plaintiff in case of any further negligence on the part of the plaintiff to pursue



the present matter.

6. It is stated by learned counsel for the defendant no.3 that as per the order dated 30.05.2024, the defendant no.2 has already expired and that the plaintiff has not taken requisite steps for impleadment of LR's of deceased defendant no.2 till date.

7. At this stage, it is stated by learned counsel for the plaintiff that he has been recently engaged by the plaintiff though he also appeared for the plaintiff in the year 2023. He submits that he will file his fresh Vakalatnama on behalf of the plaintiff shortly. The same be filed within two weeks. He seeks sometime to take the requisite steps for impleadment of LR's of deceased defendant no.2.

8. Learned counsel for the defendant no.3 also submits that in the present matter, only Written Statement alongwith Affidavit of Admission/Denial of the documents and documents have been filed by defendant no.1 in the year 2021 and thereafter, compromise was reached between the plaintiff and defendant no.1&2. However, no Replication alongwith Affidavit of Admission/Denial to the same has been filed by the plaintiff till date. So, the right of the plaintiff to file Replication alongwith Affidavit of Admission/Denial of the documents qua defendant no.1 is ordered to be closed.

9. Further, no Written Statement has been filed by defendant no.2 till date.

10. As per office note, Written Statement alongwith Affidavit of Admission/Denial of the documents and documents filed by defendant no.3 have been placed by the registry. However, an application for condonation of delay



in filing Written Statement filed by defendant no.3 is pending consideration.

Re-notify the matter for completion of pleadings on 11.03.2025.

PRIYA MAHENDRA (DHJS)
JOINT REGISTRAR (JUDICIAL)
JANUARY 27, 2025/ab

Click here to check corrigendum, if any