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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CS(OS) 315/2019

SMT. BHAWANA AGGARWAL

..... Plaintiff

Through Mr. Imran Khan, Advocate

versus

SHRI SUMIT AGGARWAL & ORS.

..... Defendant

Through Mr. Amit Gupta, Ms. Mansi Kukreja,
Ms. Vidhi Goel & Mr. Ojas Mittal,
Advocates

CORAM:

SH. VIJAY SHANKAR (DHJS), JOINT REGISTRAR (JUDICIAL)

ORDER

% **14.11.2019**

Regular stenographer is on leave today. No substitute stenographer is available/provided.

I.A.No.15724/2019 under Chapter VII Rule 3, Delhi High Court (Original Side) Rules, 2018 r/w Section 148 & 151 CPC filed on behalf of the defendant no.1 for condonation of delay in filing the written statement

It is submitted by counsel for the defendants that the aforesaid application filed by the defendant no.1 be also treated the application of defendant no.2 & 3. Not opposed.

Counsel for the plaintiff accepts the notice of the aforesaid application and submitted that he does not wish to file reply to the aforesaid application. It is further submitted by counsel for the plaintiff that no sufficient ground has been mentioned by the defendant in the aforesaid application for not filing the written statement within statutory period and the aforesaid application of the defendants be dismissed with

heavy cost.

It is submitted by counsel for the defendants that in the present case, the written statement could not be filed by the defendants within statutory period due to the reasons as mentioned in the aforesaid application and the delay in filing the same be condoned.

Arguments heard on the aforesaid application of the defendants. Perused the material available on record. Considering the facts, circumstances and in view of the submissions made, aforesaid application of the defendants is allowed subject to cost of Rs.7,000/- to be deposited with Army Welfare Fund Battle Casualties. Receipt of cost be furnished before the next date of hearing. Written statement and affidavit of admission/denial of the documents already stated to be filed by the defendants. Copies already stated to be supplied.

IA stands disposed of.

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Counsel for the plaintiff seeks time for filing replication and affidavit of admission/denial of the documents. Heard. Request is allowed. Same be filed before the date already fixed with direction to supply advance copy of the same to the opposite counsel.

At joint request, re-notify the matter for completion of pleadings and admission/denial of the documents on the date already fixed i.e. **04th December, 2019.**

**VIJAY SHANKAR (DHJS)
JOINT REGISTRAR (JUDICIAL)**

NOVEMBER 14, 2019