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

+ CS(OS) 417/2021 and IA No. 11268/2021 (application filed by the plaintiff u/S 80(2) r/w Section 151 CPC for exemption from giving notice u/S 80 CPC to defendant no.4)

SHRI AMBEDKAR GUPTA

..... Plaintiff

Through: Counsel (appearance not given)

versus

KARATE ASSOCAITION OF INDIA & ORS. Defendants

Through: Mr. Dibyadyati Banerjee and Ms. Sumedha Halder, Advocates for Defendant nos. 1 and 3 appeared physically
Mr. Anil Soni, CGSC with Mr. Rahul Mourya, Advocate for Defendant no. 4/UOI appeared physically

CORAM:

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

ORDER

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12.09.2022

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

IA No. 11267/2021 (application filed by the plaintiff u/O XXXIX Rules 1 and 2 r/w Section 151 CPC for grant of ad-interim ex-parte injunction)

Reply of defendant no.1 and 3 is on record. Rejoinder not filed by the plaintiff till date. **Hence, right of plaintiff to file rejoinder stands closed.**

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Learned counsel for defendant no.4 has stated that he does not want to file reply.

Pleadings are complete.

IA No. 16006/2021 (application filed by the plaintiff u/S 151 CPC r/w Rule 5, Chapter VII of the Delhi High Court (Original Side) Rules, 2018 for condonation of delay in filing replication)

Learned counsel for defendant nos. 1 and 3 has stated that he has no objection to the application as there is a delay of only 14 days in filing replication.

Learned counsel for defendant no.4 has stated that he does not have any objection to the present application.

Heard. The application stands allowed and delay of 14 days in filing replication is condoned. Replication is taken on record today.

IA stands disposed off.

CS(OS) 417/2021

As per file noting, written statement of defendants alongwith vakalatnama and affidavit of admission/denial which was signed by defendant no.3 as authorized signatory on behalf of defendant nos.1 and 2 also has come on record.

Replication has been taken on record today. Additional affidavit of admission/denial in respect of documents filed by the plaintiff alongwith replication, be filed by defendants within three weeks from today with advance copy to the opposite parties.



Learned counsel for defendant nos. 1 and 3 has stated that earlier she was appearing on behalf of defendant no.2 also and had filed joint written statement on behalf of defendant nos. 1 to 3, but thereafter, she has received no instructions from defendant no.2 to appear on his behalf, due to which she is not appearing on his behalf now.

Heard. She is directed to inform defendant no.2 in respect of the same and to file proof of communication in this regard by the next date of hearing.

In the interest of justice, fresh court notice be issued to defendant no.2 by all permissible modes including electronic mode and *dasti*, to appear on the next date of hearing.

Perusal of the file noting reveals that affidavit of admission/denial has been e-filed by defendant no.4, but no written statement has been filed by defendant no.4.

Put up for completion of pleadings and report of service of court notice to defendant no.2, on 15th December, 2022.

TYAGITA SINGH, (DHJS)
JOINT REGISTRAR (JUDICIAL)

SEPTEMBER 12, 2022
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