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

+ **CS(OS) 75/2018**

M/S ARCH EFFECTS

.....Plaintiff

Through: Mr. Deepak Nagar, Adv.

versus

**M/S WHITE EAGLE ENTERTAINMENT PVT. LTD. &
ORS**

.....Defendant

Through: None for D-1 & 2.

Ms. Himanshi Malhorta & Mr.
Rishabh Bansal, Advs. for D-3
(through VC).

Mr. Kunal Sharma & Sheebhendu
Bhattacharyya, Advs. for D-4 & 5.

*Right of D-1, 4 & 5 to file WS
closed vide order dt.12/11/2021.*

CORAM:

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

ORDER
24.11.2022

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**I.A. No.861/2021 (u/S 5 of Limitation Act r/w Section 151
CPC filed by defendant no.1 & 2 for condonation of
delay of 39 days in filing the written statement)**

1. As per office noting, reply to the captioned IA was filed on behalf of the plaintiff vide diary no.1323838/2022 dated 03.08.2022.
2. Ld. Counsel for plaintiff submits that vide order dated 20.09.2022, last opportunity was granted to defendants no.1 and 2 for filing rejoinder but despite that rejoinder has not been filed till date. He further submits that right



of defendants no.1 and 2 to file rejoinder may be closed.

3. Heard. Perusal of order dated 20.09.2022 would show that last opportunity was granted to defendants no.1 and 2 to file rejoinder qua the captioned IA, but the same has not been filed till date. There is no appearance on behalf of defendants no.1 and 2. In the present facts, right of the defendants no.1 and 2 to file rejoinder qua the captioned IA stands closed.
4. Pleadings qua the captioned IA are complete.
5. At request, re-notify the captioned IA for arguments on **03rd February, 2023.**

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1. The written statement alongwith affidavit of admission/denial has already been filed by the defendant No.3.
2. The written statement and affidavit of admission denial of the defendant No.1 and 2 are yet to be taken on record as application for condonation of delay is pending for consideration.
3. Ld. Counsel for plaintiff submits that no IA was filed on behalf of the plaintiff vide diary no. 1273059/2022 dated 28.07.2022. He further submits that vide the said diary no., he had filed reply to IA No.861/2021 which was returned under objection and thereafter, he filed reply to the said IA vide different diary no.
4. Re-notify the present matter for further proceedings on **03rd February, 2023.**

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

NOVEMBER 24, 2022/v

Click here to check corrigendum, if any