



\$~9

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

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

M/S ARCH EFFECTS

..... Plaintiff

Through: Mr. David A, proxy counsel for
Mr.Yasha Anand & Mr. Nitesh Rana,
Advocates.

versus

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

..... Defendant

Through: Mr.Rishabh Bansal & Mr. Ajay Arjun
Sharma, Advocates for D-3

CORAM:

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

ORDER

%

13.09.2018

**I.A. No. 11380/2018 under Order 8 Rule 1 CPC r/w Section 5 of the
Limitation Act filed by the defendant no.3 for condonation of delay in filing
written statement**

It is submitted by counsel for the defendant no.3 that in the present case, written statement has already been filed but the same could not be filed within statutory period due to the reasons as mentioned in the aforesaid application and delay in filing the written statement be condoned.

It is submitted by counsel for the plaintiff that the plaintiff has no objection, if the aforesaid application of defendant no.3 is allowed subject to costs.



Arguments heard on the aforesaid application of the defendant no.3. Perused the material available on record. Considering the facts, circumstances and in view of the submissions made, aforesaid application of the defendant no.3 is allowed subject to cost of Rs. 5,000/- to be deposited with Chief Minister's Distress Relief Fund, Kerala. Cost be deposited within a week.

IA stands disposed of.

I.A. No. 11379/2018 under Order 1 Rule 10 (2) CPC for striking out of the name of defendant no.3 from the array of parties in the present suit

Counsel for the plaintiff seeks further time for filing the reply of the aforesaid application.

The matter is already listed before the Hon'ble Court on 14/09/2018.

List the matter before the Hon'ble Court for further directions on the date already fixed i.e. **14th September, 2018.**

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

SEPTEMBER 13, 2018/nk