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

+ **W.P.(C) 843/2017**

SUNDER NAGAR ASSOCIATION

..... Petitioner

Through: Ms. Rishika Arora, Advocate for
Mr. P.S. Bindra, Advocate

versus

SOUTH DELHI MUNICIPAL CORPORATION AND ORS

..... Respondent

Through: Mr. Kamlesh Anand, Advocate for
R-1 and R-13
Mr. Shatrajit Banerji, Advocate for
R-2 to 4
Mr. Ripu Daman Bhardwaj, Advocate
for R-5
Mr. Aarohi Holani, Advocate for R-6 & 7
Mr. Raghav Kacker, Advocate for R-8
Mr. Rajinder Mathur and Mr. A.K.
Rohtagi, Advocates for R-9
Mr. Mansoor Ansari, Advocate for R-10

CORAM: SH. LORREN BAMNIYAL, REGISTRAR

ORDER

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17.04.2017

CM No.14371/2017

This is an application under Section 5 of the Limitation Act filed by respondent No.8 seeking condonation of delay of 21 days in filing the counter affidavit.

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For the reasons stated in the application, the application is allowed. The delay of 21 days in filing the counter affidavit on behalf of respondent No.8 is condoned and the counter affidavit filed alongwith the application is taken on record.

Application stands disposed of.

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Amended memo of parties filed by the petitioner impleading ATM and DDA as respondent Nos.12 and 13 respectively is not on record. Learned counsel for the petitioner to take steps to have the same placed on record and also serve a copy thereof on the learned counsel representing the respondents.

Counter affidavit stands filed on behalf of respondent Nos.6, 7 and 8.

Counter affidavit stated to have been filed by respondent No.9 is not on record. Learned counsel for respondent No.9 to take steps to have the same placed on record. A copy thereof stands served on learned counsel for the petitioner, who seeks time to file rejoinder. Let the petitioner file rejoinder to the counter affidavits filed on behalf of respondent Nos.6 to 9 within four weeks.

Respondent No.5 stands exempted from filing the counter affidavit in terms of order dated 07.02.2017. Let the other respondents, who have not filed the counter affidavit, file the same within three weeks with advance copy to learned counsel for the petitioner, who may file rejoinder thereto, if any, within two weeks thereafter.



On the petitioner taking steps within a week, issue notice to respondent No.12 by ordinary process as well as speed post, returnable on 10.07.2017. It may be indicated in the notice that counter affidavit, if any, be filed before the next date.

Learned counsel representing respondent No.10 and 13 submit that they have not received copy of the petition. Learned counsel for the petitioner undertakes to supply the same within three days.

Re-notify on 10.07.2017.

REGISTRAR

APRIL 17, 2017

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