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

+ **CS(OS) 365/2019 & I.As. 9929-9930/2019**

MAHAVIR PRASAD MUDGAL & ANR. Plaintiffs

Through: Mr. Yogesh Jagia and Mr. Amit Sood, Advocates for all plaintiffs (Ph. 9810110858, e-mail: office.jagia@gmail.com).

versus

DHARMENDRA KUMAR MUDGAL & ANR. Defendants

Through: Mr. Vishwa Pratap, Advocate (proxy) for Mr. Kapil, Sankhla, Advocate for all defendants (Ph. 8800905923, e-mail: pratapwishwa@gmail.com)

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

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14.11.2022

[Physical Hearing/ Hybrid Hearing]

CS(OS) 365/2019

1. There is a request for adjournment on behalf of the defendant Nos. 1 and 2 on the ground that the main counsel for defendants is in personal difficulty. It is seen that even on the last date of hearing, when the matter was listed, there was no appearance on behalf of the defendants.
2. It is made clear that no adjournment shall be granted in case such a request is made on behalf of the defendants on the next date.



I.A. 11107/2020

3. This is an application filed on behalf of the plaintiffs seeking condonation of delay of 103 days in filing the replication.
4. Learned counsel for the plaintiffs submits that replication has been filed within 45 days of the receipt of the written statement.
5. Perusal of the record shows that the written statement was filed on behalf of defendant Nos. 1 and 2 on 12.09.2019. Along with written statement, just after the Index, two receipts of speed post have been attached. The defendants are directed to file service report with respect to the speed posts receipts to show as to whether pursuant to the said speed post, service was effected upon the plaintiffs herein and when.
6. Re-notify on 27.01.2023.

MINI PUSHKARNA, J

NOVEMBER 14, 2022

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