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IN THE HIGH COURT OF DELHI AT NEW DELHI

CS(OS) 475/2023

VIRENDRA SAHLOT

..... Plaintiff

Through: Mr. Satya Sabharwal, Adv.
(Mob.9999034034) (joined
through VC)

versus

MS PRITI SURI & ORS.

..... Defendants

Through: Ms. Meenakshi Joshi, Adv., for
D-1&2 (Mob.9871494890)
Mr. Vikas Jain, Adv. for D-3&4
Mr. Anish Dhingra, Adv. for
D-12

CORAM:

**JOINT REGISTRAR (JUDICIAL) MS. PRIYA
MAHENDRA, (DHJS)**

ORDER

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24.01.2024

**IA No.21337/2023 under Order VIII Rule 1 CPC
moved by the defendant no.1&2 seeking condonation of
delay in filing Written Statement**

As per record, no reply to the captioned IA has been filed by the plaintiff. At this stage, learned counsel for the plaintiff submits that he has no objection to the captioned IA.

Heard. In view of reasons mentioned in the application, the captioned IA stands allowed to the extent that the delay, if any, in filing Written Statement alongwith Affidavit of Admission/Denial of the documents filed by the defendant no.1&2 is condoned and the same is to be taken on record. Accordingly, the captioned IA stands disposed of.

CS(OS) 475/2023

Written Statement alongwith Affidavit of Admission/Denial of the documents filed by the defendant no.1&2 is taken on record vide order of even date. So, the plaintiff is directed to file Replication to the same within



stipulated period as prescribed by law with copy to the opposite side.

The right of the defendant no.3&4 to file Written Statement has already been ordered to be closed.

Vide order dated 09.11.2023, Written Statement alongwith Affidavit of Admission/Denial of the documents filed by the defendant no.5 to 9 were taken on record. As per record, defendant no.5 to 9 have also filed documents alongwith Written Statement.

However, till date, Replication alongwith Affidavit of Admission/Denial of the documents has not been filed by the plaintiff. It is stated by learned counsel for the plaintiff that he will file Replication and Affidavit of Admission/Denial of the documents alongwith requisite application seeking condonation of delay in filing the same. Needless to say, Replication alongwith Affidavit of Admission/Denial of the documents, if any, filed by the plaintiff shall be made part of the record as per law.

As per office note, summons issued to defendant no.10 received back un-served with the report that he has already left the premises and the premises was found in a dilapidated condition. Learned counsel for the plaintiff submits that he will take appropriate steps as per law for service of defendant 10.

As per office note further, the plaintiff has not taken steps for issuing summons of the suit qua the defendant no.11.

Vide order dated 22.12.2023, Written Statement alongwith Affidavit of Admission/Denial of the documents filed by the defendant no.12 was taken on record.



However, till date, no Replication has been filed by the plaintiff. It is stated by learned counsel for the plaintiff that he will file Replication alongwith requisite application seeking condonation of delay in filing the same. Needless to say, Replication, if any, filed by the plaintiff shall be made part of the record as per law.

Since the date before the Hon'ble Court is short, the matter may be placed before the Hon'ble Court on date already fixed i.e. 31.01.2024, for further directions.

IA No. 14909/2023 (under Section 80(2) of CPC for exemption from serving notice to D-11 and D-12)

Learned respective counsels for the defendant no.1&2 and defendant no.5 to 9 already submitted that they do not wish to file any reply to the captioned IA.

The right of the defendant no.3&4 to file reply has already been ordered to be closed.

As per office note, reply to the captioned IA filed by the defendant no.12 is on record. Learned counsel for the plaintiff submits that he wants to file rejoinder to the same,

As per office note, the plaintiff has not taken steps for issuance of notice and service of the captioned IA upon the defendant no.11.

Since the date before the Hon'ble Court is short, place the captioned IA before the Hon'ble Court on date already fixed i.e. 31.01.2024, for further directions.

PRIYA MAHENDRA (DHJS)
JOINT REGISTRAR (JUDICIAL)
JANUARY 24, 2024/ab

Click here to check corrigendum, if any