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

+ CS(OS) 354/2020

I.A.10697/2020 (under Order XXXIX Rule 1 and 2 CPC)

I.A.10698/2020 (exemption)

I.A.10699/2020 (under Section 149 CPC-extension of time to file court fee)

I.A.10700/2020 (condonation of delay in refiling the suit)

KARANVEER SINGH & ANR. Plaintiff

Represented by: Mr.Mantu Kumar Singh, Advocate.

versus

MADAN PAL & ORS. Defendant

Represented by: None.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

% **19.11.2020**

The hearing has been conducted through video conferencing.

I.A.10700/2020 (condonation of delay in refiling the suit)

1. By this application, the plaintiffs seek condonation of delay of 18 days in refiling the suit.
2. Considering the fact that if the suit was filed on the date of refiling, it would have been within the period of limitation, the delay in refiling the suit is condoned.
3. Application is disposed of.

I.A. 10699/2020 (extension of time to file Court fees)

1. Plaintiffs will file the complete Court fees within four weeks.



2. Application is disposed of.

I.A. 10698/2020 (exemption)

1. Exemption allowed subject to just exceptions. Original documents, if any, be filed within two weeks of the resumption of the normal Court functioning.

2. Application is disposed of.

CS(OS) 354/2020

I.A. 10697/2020 (under Order XXXIX Rule 1 and 2 CPC)

1. Complaint be registered as a suit.

2. Issue summons in the suit and notice in the application to the defendants on the plaintiffs taking steps through Email, SMS, Whatsapp, Speed Post and Courier, returnable before the learned Joint Registrar for completion of service, pleadings and admission-denial of documents on 14th January, 2021.

3. Written statements to the suit and reply affidavits to the application along with the affidavits of admission-denial will be filed within thirty days of the receipt of the summons and notice. Replication and rejoinder affidavit along with the affidavit of admission-denial within three weeks thereafter.

4. List the suit and application before this Court on 20th April, 2021.

5. By the present suit, the plaintiffs, inter alia, seek a decree of declaration, permanent injunction as also specific declaration that the plaintiffs have a better title over the suit properties in view of the long possession over the same, mesne profits, damages etc.

6. According to the plaintiffs, the plaintiff Nos. 1 and 2 are in possession of the two sets of suit properties consisting of 6 plots of 50 square meters each and the plaintiffs have placed on record documents to show their



continuous possession, except that in August, 2019, the defendants changed the locks of the premises, however, the plaintiffs' claim is that the plaintiffs continued to be in possession and entered through Gate No. 'C' as per the site plan and the goods of the plaintiffs are still lying in the suit properties.

7. Considering the averments in the plaint as also the documents filed therewith, till the next date of hearing before this Court, parties are directed to maintain status quo as to the title and possession in the suit properties.

8. Compliance under Order XXXIX Rule 3 CPC be done within one week.

9. Copy of the order be uploaded on the website of this Court.

MUKTA GUPTA, J.

NOVEMBER 19, 2020

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