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

+ **CS(OS) 380/2020**

I.A.11077/2020 (under Order XXXIX Rule 1 and 2 CPC)

PREM BAJAJ & ANR.

..... Plaintiff

Represented by: Mr. Sunil Dutt Dixit, Advocate.

versus

ALKA BAJAJ & ORS.

..... Defendants

Represented by:

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

% 22.12.2020

The hearing has been conducted through Video Conferencing.

I.A.11080/2020 (under Section 149 CPC for postponement of payment of court fee)

1. Court fee be filed within two months as prayed for by the learned counsel for the plaintiff.
2. Application is disposed of.

I.A.11079/2020 (under Section 151 CPC – Delay in refilling the suit)

1. By this application the plaintiff seeks condonation of delay in refilling the suit which is occurred due to the lock down.
2. Considering the reasons given in the application, delay in re-filing the suit is condoned.
3. Application is disposed of.

I.A.11078/2020 (exemption)



1. Exemption allowed subject to just exceptions.
2. Application is disposed of.

CS(OS) 380/2020

I.A.11077/2020 (under Order XXXIX Rule 1 and 2 CPC)

1. Learned counsel for the plaintiff at the outset states that when CS(OS) 99/2020 was dismissed on 5th March, 2020, the plaintiff was granted liberty to file fresh suit. Hence the present suit.
2. Complaint be registered as suit.
3. Issue summons in the suit and notice in the application to the defendants on the plaintiff taking steps through Email, SMS, Whatsapp, speed post and courier, returnable before the learned Joint Registrar on 16th February, 2021 for completion of service, pleadings and admission-denial of documents.
4. Written statement to the suit and reply affidavit to the application along with affidavit of admission-denial be filed within 30 days.
5. Replication and rejoinder affidavit along with affidavit of admission-denial be filed within three weeks thereafter.
6. List the suit and the application before the Court on 15th July, 2021.
7. Order be uploaded on the website of this Court.

MUKTA GUPTA, J.

DECEMBER 22, 2020

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