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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CS(OS) 501/2022 & I.A. 13647/2022 I.A. 13648/2022 I.A. 7621/2023
I.A. 14/2024

SMT VIPLA SINGH AHLUWALIA THROUGH ATTORNEY
HOLDER SH JASVINDER SINGHPlaintiff

Through: Mr. Manu Nayar, Mr. Jaideep Singh,
Ms. Meenakshi Bhatia, Mr. Ayush
and Ms. Samvartika Pathak and Ms.
Swati, Advs.

versus

SH DINESH SHARMA & ORS.Defendants
Through: Mr. Avinash Das, Advocate for
defendant nos. 1 to 3

CORAM:
HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

% **16.07.2024**

I.A. 7621/2023(Application for condonation of delay of 122 days in filing the w/s)

1. This is a suit for partition. Defendant nos. 1 to 5 filed a common written statement and served an advance copy on the plaintiff on 23.01.2023.
2. Learned counsel for the plaintiff is directed to place on record a short note disclosing that as per the record of the Court, the dates on which the summons were served on each of the defendants within two (2) weeks. As per the plaintiff, the summons were served on the defendants through speed post on 20.09.2022 and therefore, service of written statement on 23.01.2023



is beyond 120 days.

3. Learned counsel for the plaintiff has handed over the affidavit of service dated 18.11.2022 and as per the said affidavit of service; the service of summons through speed post was affected on defendant no. 5 admittedly on 21.09.2022. With respect to the defendant no. 5 admittedly, the period of 120 days will expire on 23.01.2023 and common written statement of the defendants including on behalf of defendant no. 5 stood admittedly served on the plaintiffs, on 23.01.2023.

4. Learned counsel for the plaintiff seeks an adjournment to address arguments.

5. To come up for consideration on 15.10.2024.

MANMEET PRITAM SINGH ARORA, J

JULY 16, 2024/hp/sk