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IN THE HIGH COURT OF DELHI AT NEW DELHI

CS(OS) 547/2022

ANURADHA MITTAL

..... Plaintiff

Through: Mr. Joby P. Verghese, Adv.

Versus

DEEPAK KUMAR & ANR.

..... Defendants

Through: None.

CORAM:

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

ORDER

% **09.02.2023**

**IA No.2493/2023 under Section 5 of Limitation Act r/w
Section 151 CPC moved by the plaintiff seeking
condonation of delay in re-filing the Replication to the
Written Statement of defendant no.2 alongwith
Affidavit of Admission/Denial of documents**

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

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As per office note, Written Statement alongwith Affidavit of Admission/Denial of documents and documents filed by the defendant no.1 have been placed by the Registry. The same are taken on record. It is stated by learned counsel for the plaintiff that he has already filed Replication alongwith Affidavit of Admission/Denial of documents qua Written Statement of the defendant no.1 yesterday vide diary no.207212. However, the same is not



on record. Learned counsel for the plaintiff undertakes to check up the same with the Registry and get the same placed on record after removing the objections, if any.

As per office note further, Written Statement alongwith Affidavit of Admission/Denial of documents and documents filed by the defendant no.2 have been placed by the Registry. The same are taken on record. Replication to the same alongwith Affidavit of Admission/Denial of documents filed by the plaintiff is taken on record vide order of even date. **Thus, pleadings qua defendant no.2 are complete.**

The plaintiff is directed to file soft copy as well as hard copy of Joint Schedule of documents at least one week before the next date of hearing with copy to the opposite side.

Re-notify the matter for completion of pleadings as well as marking of exhibits to the documents on the next date of hearing.

IA No.14671/2022 under Order XXXIX Rules 1&2 of CPC (Stay)

As per office note, Reply to captioned IA has not been filed by the defendant no.1 till date. There is no appearance on behalf of defendant no.1 today to explain in this regard. In the interest of justice, no adverse order is being passed today and the last and final opportunity is granted to the defendant no.1 to file reply, if any, to captioned IA within two weeks with copy to the opposite side, who is at liberty to file rejoinder, if any, within two weeks thereafter with copy to the opposite side.

As per record, Reply to captioned IA filed by the defendant no.2, is on record. At request, rejoinder, if any,



be filed by the plaintiff within two weeks with copy to the opposite side.

Re-notify captioned IA for completion of pleadings on 06.04.2023.

PRIYA MAHENDRA (DHJS)
JOINT REGISTRAR (JUDICIAL)
FEBRUARY 9, 2023/ab
Click here to check corrigendum, if any