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

+ CS(OS) 583/2022

DAKSH RANA (MINOR) THROUGH HIS MOTHER

..... Plaintiff

Through: Mr.Ashish Khatri,
Advocate appeared
physically

versus

BHUPINDER RANA & ORS. Defendants

Through: Mr. Vanshay Kaul,
Advocate for Defendants
no. 2 and 3
(M: 9870111585)

(email: advocatevanshay@gmail.com)

Mr. Sharat Kapoor,
Advocate for D-4
appeared physically

(M: 9811051218)

(email: office@kcoadvocates.in)

CORAM:

**JOINT REGISTRAR (JUDICIAL) MS. TYAGITA
SINGH, (DHJS)**

ORDER

% **16.05.2023**

*Matter is taken up through physical hearing as well as
video conferencing.*

**IA No. 17900/2022 (application filed by defendant no.2 u/O
VII Rule 11 (a) and (d) CPC r/w Section 151 CPC)**

At request of learned counsel for defendants no. 2 and 3
that soft copy of reply has been misplaced somewhere, learned
counsel for the plaintiff is directed to supply fresh copy of reply
by way of mail to learned counsel for defendants no. 2 and 3
within two days.

Last opportunity is granted to defendant no.2/applicant for
filing rejoinder within two weeks with advance copy to the
opposite parties.

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IA No. 5458/2023 (application filed by defendant no.4 u/S 151 CPC for condonation of delay of 85 days in filing written statement)

And

IA No. 5459/2023 (application filed by defendant no.4 u/S 151 CPC for condonation of delay of 85 days in filing reply to IA No. 15337/2022)

Reply has been filed by the plaintiff. Learned counsel for defendant no. 4 has stated that he does not wish to file rejoinder.

Pleadings are complete.

Arguments heard on behalf of the parties.

Learned counsel for defendant no.4 has stated that there is delay of 85 days in filing written statement and reply to IA No. 15337/2022.

Heard. In view of the facts and circumstances mentioned in the applications, both the abovesaid applications are allowed, subject to cost of Rs. 2,000/- to be paid by defendant no.4 to plaintiff before the next date of hearing. Written statement and reply to IA No. 15337/2022 are taken on record.

Both IAs stand disposed off.

IA No. 15337/2022 (application filed by the plaintiff u/O XXXIX Rules 1 and 2 r/w Section 151 CPC)

Reply of defendant nos. 2 and 3 has come on record.

Reply of defendant no.4 has been taken on record today.

Rejoinder, if any, may be filed by the plaintiff within four weeks with advance copy to the opposite parties.

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Written statement of defendant no.4 has been taken on record today.



Perusal of the file notes reveals that replication to written statement of defendant no.4 has already been filed by the plaintiff. **Pleadings are complete qua defendant no.4.**

Written statement of defendants no. 2 and 3 is already on record. Replication has also been filed by the plaintiff to written statement of defendants no. 2 and 3. **Pleadings are complete qua defendant no.2 and 3 also.**

Defendant no.1 had been duly served but he has not filed written statement till date. Time for filing written statement of defendant no.1 has already expired. **Right of defendant no.1 to file written statement stands closed.**

Plaintiff is directed to file Joint Documents Schedule within four weeks, after obtaining comments and signatures from learned counsel for defendants no. 2,3 and 4.

Both the parties are directed to file original signed pleadings and hard copies of the documents on record within four weeks. Both the parties/counsels are directed to appear physically alongwith original documents for marking of exhibits on the documents on the next date of hearing. The concerned official is directed to complete the file in all respects before the next date of hearing.

Put up for admission/denial and for marking of exhibits on 4th August, 2023.

**TYAGITA SINGH, (DHJS)
JOINT REGISTRAR (JUDICIAL)**

MAY 16, 2023
savita