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

+ **CS(OS) 632/2021**

**OM PRAKASH BATRA**

..... Plaintiff

Through: Counsel appeared physically  
(appearance not given)

versus

**MANOJ KUMAR BATRA & ORS.**

..... Defendants

Through: Mr. Pranav Gambhir and Mr. Anish  
Chawla, Advocates for Defendant  
nos. 1 and 2 appeared physically

**CORAM:**

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

**ORDER**

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**19.05.2022**

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

**IA No. 5355/2022 (application filed by defendant nos. 1 and 2 u/O VIII Rule 1 r/w Section 151 CPC seeking condonation of delay of seven days in filing the written statement )**

Learned counsel for defendant nos. 1 and 2 has stated that there is delay of seven days in filing written statement due to the reason that learned counsel for defendant nos. 1 and 2 was undergoing surgery and was not in a position to prepare the written statement on behalf of defendants.

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Learned counsel for the plaintiff has stated that he has no objection if the present application is allowed as relief of condonation of delay in filing written statement has been sought on the basis of judgment of the Hon'ble Supreme Court in Suo-Motu in Writ Petition(Civil) No. 3/2020.

Heard. In view of the above stated submissions, the application is allowed and written statement alongwith affidavit of admission/denial filed by defendant nos. 1 and 2 is taken on record.

IA stands disposed off.

**IA No. 15753/2021 (application filed by the plaintiff u/O II Rule 2 CPC)**

Reply has been filed by defendant nos. 1 and 2.

**IA No. 3322/2022 (application filed by defendant no.3 u/O XXXIX Rules 1 and 2 CPC seeking ad-interim stay against the defendant nos. 1 and 2 from creating any third-party rights in the suit property)**

Learned counsels for the plaintiff and defendant nos. 1 and 2 seek some more time to file reply. Let the reply be filed as per law with advance copy to the opposite parties.

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Written statement of defendant nos. 1 and 2 alongwith affidavit of admission/denial has been taken on record today.

Written statement has not been filed by defendant nos. 3,5 and 6 till date.



As per file noting, documents and counter claim have also been filed by defendant no.1.

Learned counsel for defendant nos. 1 and 2 has stated that he has also filed court fees alongwith the counter claim. The concerned official of the Registry is directed to register the counter claim as separate suit.

Perusal of the file noting reveals that defendant nos. 4 and 7 have been served in March, 2022, but they have not put up their appearance till date.

Put up for completion of pleadings on 16<sup>th</sup> September, 2022.

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

**MAY 19, 2022**  
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