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* IN THE HIGH COURT OF DELHI AT NEW DELHI
+ CS(OS) 631/2014
SANDIP SOMANY & ANR Plaintiff
Through Mr. Manav Gupta, Adv.
versus
RAM NIWAS JINDAL & ORS Defendant
Through Mr. Rajiv Bansal, Adv. For D-1
Mr. Aviral Tiwari, Adv. For D-2&3

CORAM:

ASHUTOSH KUMAR (DHJS), JOINT REGISTRAR (JUDICIAL)

ORDER

% 05.11.2015

I.A. No.19586/2015 under Order VIII Rule 1 r/w Section 151 CPC moved on behalf of defendant no.1 for condonation of delay of four days in filing reply to IA No.15230/2015

Learned counsel for the plaintiff has submitted that he has no objection to the present IA.

In view of the same and in view of reasons mentioned in the application, the delay of four days in filing of reply to IA no.15230/2015 is condoned.

IA is disposed of accordingly.

I.A. No.15230/2015 under Order 12 Rule 6 CPC moved on behalf of plaintiff

As per office note, reply to IA filed by defendant no.1

Learned counsel for the plaintiff has submitted that rejoinder to the same was filed vide diary no.540234 on 13.10.2015. He undertakes to check up with the Registry and get the same placed on record. He has further submitted that the present IA is directed against defendant no.1 only.

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Learned counsel for the plaintiff has admitted that previous cost of Rs.12000/- each has already been paid by defendant no.2&3. He has further

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submitted that defendant no.4 has not paid the cost of Rs.12000/- till date imposed vide order dated 10.04.2015, while disposing of his IA no.2767/2015, although the said cost shall be paid within ten days from the said order. Even none is present on behalf of defendant no.4 to explain in this regard.

Learned counsel for the plaintiff has prayed that the defence of defendant no.4 may be struck off. Same will be considered on next date.

As per office note, replication to written statement of defendant no.1 and that defendant no.2&3 have already been filed. However, written statement of defendant no. 2&3 is not on record. Learned counsel for the said defendants undertakes to check up with the Registry and get the same placed on record.

Learned counsel for parties have submitted that since the documents filed by the plaintiff are voluminous, therefore, parties may be granted time to file their respective affidavits qua admission/denial of documents of each other within one week with copies to be exchanged. Ordered accordingly.

Learned counsel for the defendants has submitted admission/denial of documents may be carried out after disposal of IA no.15230/2015 by the Hon'ble Court.

Accordingly, list the matter before the Hon'ble Court on 27.11.2015 i.e. date already fixed, for further directions.

ASHUTOSH KUMAR (DHJS)
JOINT REGISTRAR (JUDICIAL)

NOVEMBER 05, 2015/ab