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IN THE HIGH COURT OF DELHI AT NEW DELHI

CS(OS) 662/2021

ASHA

..... Plaintiff

Through: Mr. Abhijeet Vikram Singh,
proxy cl.

versus

AJVINDER SINGH

..... Defendant

Through: Mr. Bhanu Sandriya, Adv. for
D-1 to 3
Mr. Pushkal Awasthi, proxy cl.
for D-4
Mr. Satish Kumar & Mr.
Sumanyu Mudgil, Advs. for D-5

CORAM:

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

ORDER

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15.03.2023

CS(OS) 662/2021

It is stated by learned counsel for the defendant no.1 to 3 that he has already paid cost of Rs.3000/- to learned counsel for the plaintiff.

It is also stated by learned counsel for the defendant no.1 to 3 that he has re-filed Written Statement alongwith Affidavit of Admission/Denial of the documents yesterday and, therefore, it has not come on record. Learned counsel for the defendant no.1 to 3 is directed to take requisite steps within a week to bring the same on record.

Cost of Rs.3000/- has been paid by learned counsel for the defendant no.5 to learned counsel for the plaintiff today in court.

At this stage, it is pointed out by learned counsel for the defendant no.5 that the title of the suit given by the plaintiff is not consistent with the Memo of Parties filed by the plaintiff and, therefore, defendants are finding it difficult to complete the pleadings in view of repeated



objections raised by the Registry. The submissions made by learned counsel for the defendant no.5 is correct as per record. So, learned counsel for the plaintiff is directed to take requisite steps to rectify the same within a week.

As per office note, Written Statement alongwith Affidavit of Admission/Denial of the documents filed by the defendant no.5 have been placed by the Registry. However, an application seeking condonation of delay in filing the Written Statement is not on record. So, learned counsel for the defendant no.5 is directed to take requisite steps within a week after rectification of defects by the plaintiff and bring the same on record after removing the objections, if any. Learned counsel for the plaintiff submits that he has received copy of said condonation of delay application and wants to file reply to the same. At request, reply, if any, be filed by the plaintiff to said condonation application 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.

The defendant no.4 has not taken steps to bring Written Statement and Affidavit of Admission/Denial of documents on record till date. No plausible explanation has been given by the learned counsel appearing today for the defendant no.4 with regard to the same. In the interest of justice, subject to imposition of cost of Rs.2000/- upon the defendant no.4 to be deposited with Delhi High Court Legal Services Committee, the last and final opportunity is granted to the defendant no.4 to take requisite steps within two weeks and bring Written Statement and Affidavit of Admission/Denial of the documents on record. The



defendant no.4 is directed to pay previous cost of Rs.3000/- to the plaintiff and deposits cost of Rs.2000/- with Delhi High Court Legal Services Committee within two weeks.

Re-notify the matter for further proceedings on 24.05.2023.

PRIYA MAHENDRA (DHJS)
JOINT REGISTRAR (JUDICIAL)
MARCH 15, 2023/ab
[Click here to check corrigendum, if any](#)