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

+ **CS(OS) 635/2022, IA 20337/2023**

SMT. NEELAM SHOKEEN @ MONA Plaintiff

Through: Mr. Sahil Goel, Mr. Mahipal Khanagwal,
Adv. M. 8750188345.

versus

SMT. KRISHNA DEVI & ORS. Defendant

Through: Ms. Jagrati Singh, Adv. for D-1.
Adv. Shreyas Balaji (Proxy Counsel) for Ms.
Ankita Chaudhary (Arguing Counsel)
appearing for D-3 (Through VC)

CORAM:

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

ORDER

% **26.02.2024**

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

IA 20337/2023 (Application u/O VII Rule 11 CPC filed by defendants no. 4 and 5)

Ld. Counsel for plaintiff has stated that he does not want to file reply to this IA and he will argue the application orally before Hon'ble court on next date of hearing.

CS(OS) 635/2022

As per Order of the Hon'ble Court dated 15.01.2024, the OA 132/2023 was allowed and Written Statement of defendant no.4 has been taken on record subject to cost of Rs. 20,000/- to be paid to the plaintiff. Ld. Counsel for plaintiff has stated that he has received the cost.



As per file noting, replication to the Written Statement of defendant no.1 alongwith affidavit of admission/denial has been filed by plaintiff. **Pleadings qua defendant no.1 are complete.** Right of defendants no. 2,3 and 6 to file Written Statement has already been closed vide order dated 11.10.2023.

As per file noting, Written Statement filed by defendants no. 4 and 5 is still lying under objection since October 2023 and they have not removed objections till date.

Despite directions in previous order, defendants no. 4 and 5 have not filed any application for condonation of delay in filing Written Statement. Perusal of previous orders reveals that defendants no. 4 and 5 were served with summons of the suit in May 2023. Statutory period of limitation for filing Written Statement has already expired long time back. Hence **right of defendant no. 4 and 5 to file Written Statement stands closed.**

Ld. Counsel for plaintiff is directed to file Joint Document Schedule qua the documents of plaintiff and defendant no.1 after obtaining comments and signatures from Ld. Counsel for defendant no.1. Hard copy of pleadings and documents be filed by both the parties within four weeks.

Be fixed for admission/denial and marking of exhibits on 24.04.2024.

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

FEBRUARY 26, 2024/SM