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IN THE HIGH COURT OF DELHI AT NEW DELHI

CS(OS) 664/2022

PRIYANKA SINGH

..... Plaintiff

Through: Ms. Nidhi Mohan Parashar, Adv.
(joined through VC)

versus

GURSAMARJIT SINGH AND ORS. Defendants

Through: Mr. Naveen Kumar, Adv. for
D-2 to 7 (joined through VC)
Mr. Vivek Singh, Adv. for D-8

CORAM:

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

ORDER

% 23.03.2023

**IA No.5651/2023 under Section 5 of Limitation Act
moved by the plaintiff seeking condonation of delay in
filing reply to IA No.412/2023**

Learned counsel for the defendant no.8 is present and accepts notice of captioned IA. He submits that he has no objection, if captioned IA is allowed.

In view of above and in view of reasons mentioned in the application, captioned IA stands allowed to the extent that the delay, if any, in filing reply to IA No.412/2023 filed by the plaintiff is condoned the same is taken on record. Accordingly, captioned IA stands disposed of.

**IA No.5668/2023 moved by the defendant no.8 seeking
condonation of delay in filing rejoinder to IA
No.412/2023**

Learned counsel for the plaintiff, who has joined the proceedings through VC, accepts notice of captioned IA. She submits that she has no objection, if captioned IA is allowed.

In view of above and in view of reasons mentioned in the application, captioned IA stands allowed to the



extent that the delay, if any, in filing rejoinder to IA No.412/2023 filed by the applicant/defendant no.8 is condoned the same is taken on record. Accordingly, captioned IA stands disposed of.

IA No.412/2023 under Order I Rule 10 (2) CPC moved by defendant no.8 for striking out the name of defendant no.8 from array of the parties

Reply to captioned IA filed by the plaintiff and rejoinder to the same filed by the applicant are taken on record vide order of even date. Thus, pleadings are complete.

At this stage, adjournment is sought by learned counsel for the plaintiff to argue captioned IA on the ground of being unwell today.

Re-notify captioned IA for consideration/arguments on the next date of hearing.

CS(OS) 664/2022, IA No.15149/2021, IA No.15150/2021, IA No.17393/2022 & IA No.17396/2022

It is stated by learned counsel for the defendant no.5 to 7 that as per instructions received, he is also appearing on behalf of defendant no.2 and 4 in the present matter. However, learned counsel has fairly conceded that he has not filed Vakalatnama on behalf of defendant no.2&4 till date. At request, the same be filed within two weeks.

As per office note, Written Statement alongwith Affidavit of Admission/Denial of documents has not been filed by defendant no.2,4,5,6&7 till date. The learned counsel for defendant no.2,4,5,6&7 seeks sometime to file the Written Statement and Affidavit of Admission/Denial of documents. Needless to say, Written Statement alongwith Affidavit of Admission/Denial of documents, if any, filed by said defendants shall be made part of the



record as per law.

The defendant no.8 has also not filed Written Statement and Affidavit of Admission/Denial of documents till date. Needless to say, Written Statement and Affidavit of Admission/Denial of documents shall be taken on record as per law.

The plaintiff has not taken steps qua service of defendant no.1 and defendant no.3 in c

ompliance of order dated 13.02.2023. At this stage, it is stated by learned counsel for the plaintiff that she has filed a Chamber Appeal bearing OA No.20/2023 for assailing the order passed by this court qua service of defendant no.1&3. She also submits that she has also moved an appropriate application seeking permission of this court to take fresh steps for service of defendant no.1&3 but the same is under scrutiny. The learned counsel for the plaintiff undertakes to bring the same on record before the next date of hearing.

Re-notify the matter for further proceedings on 26.04.2023.

PRIYA MAHENDRA (DHJS)
JOINT REGISTRAR (JUDICIAL)

MARCH 23, 2023/ab

[Click here to check corrigendum, if any](#)