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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CS(OS) 685/2022

GOPAL KRISHAN SRIVASTAVA

..... Plaintiff

Through: Mr. Himanshu Chugh, proxy
Adv. for Mr. Pankaj Vivek, Adv.

versus

M/S LAKRAS INFRACON PVT. LTD. AND ORS

..... Defendant

Through: Mr. Aditya Bakshi, Adv. for D-1
to 3

CORAM:

**JOINT REGISTRAR (JUDICIAL) SH. MANISH
SHARMA, (DHJS)**

ORDER

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07.03.2023

**I.A.No.18192/2022 (under Order XXXIX Rule 1 & 2
CPC)**

1. The captioned IAs are coming up before the Hon'ble
Court on 09/03/2023.

**I.A.No.4621/2023 (under Chapter IV Rule 3 of Delhi
High Court (Original Side) Rules, 2018 r/w Section 151
CPC filed on behalf of the defendants seeking
condonation of delay in re-filing the written statement)**

2. Learned counsel for plaintiff accepts notice of the
captioned IA and submits that he has no objection, if
the application is allowed.

3. Arguments heard. Record perused.

4. In view of the averments made in the captioned IA and



also in view of no objection furnished by learned counsel for plaintiff, delay of 19 days in re-filing the written statement is condoned. Written statement of defendant is taken on record.

5. IA stands disposed of.

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6. As per office note, written statement along with counter-claim, affidavit of admission/denial along with documents have been filed by defendant no.1 to 3.

7. Vakalatnama filed on behalf of the defendants has been returned under objection.

8. Learned counsel for defendant prays that the cost imposed on the last date may be waived as the written statement was filed within the stipulated period.

9. Learned counsel for the plaintiff submits that he has no objection, if the cost is waived.

10. Heard. Record perused. Defendant no.1 to 3 have filed written statement on 04/01/2023, however the same was returned under objection. In view of the above and also in view of no objection of learned counsel for plaintiff, cost of Rs.1500/- to be paid by each of the defendant is waived.

11. Learned counsel for plaintiff submits that he has not received copy of the written statement, counter-claim and affidavit of admission/denial of documents till date. Let the same be supplied within two days.

12. Plaintiff may file replication and affidavit of admission/denial of documents within stipulated period with advance copy to the opposite side.



13. Learned counsel for the defendants submits that the defendants have filed a counter-claim along with the written statement and he will seek appropriate directions from the Hon'ble Court regarding issuance of notice on the counter-claim.
14. Learned counsels for the parties submit that the matter may be placed before the Hon'ble Court on the date already fixed.
15. At joint request, list the matter before the Hon'ble Court for further directions on the date already fixed i.e. **09th March, 2023.**

MANISH SHARMA, (DHJS)
JOINT REGISTRAR (JUDICIAL)

MARCH 7, 2023/nk

Click here to check corrigendum, if any