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IN THE HIGH COURT OF DELHI AT NEW DELHI

CS(OS) 664/2023

ANOOP SINGH YADAV & ORS. Plaintiffs

Through: Mr. Mohit Mudgal & Mr. Ravi
Kant Yadav, Advs.

versus

MANGE RAM & ORS. Defendants

Through: Mr. Vikas Yadav, Adv. for D-1
Mr. Sandeep Yadav, Adv. for
D-2 to 7
Mr. Varun Mudgil & Mr. Rakesh
Kumar, Advs. for D-8 to 10

CORAM:

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

ORDER

% 30.05.2024

**IA No.8570/2024 under Section 151 CPC moved by
defendant no.1 seeking condonation of delay in filing
Written Statement**

**IA No.8572/2024 under Section 151 CPC moved by
defendant no.1 seeking condonation of delay in re-filing
IA No.8570/2024**

As per office note, replies to the captioned IAs filed by the plaintiffs are on record. At this stage, it is stated by learned counsel for the applicant/defendant no.1 that he does not wish to file any rejoinder to the same and will straightway argue the same. **Thus, pleadings qua captioned IAs are complete.**

Arguments heard.

Put up the captioned IAs for orders on the next date of hearing.

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Previous cost of Rs.3000/- in cash has been paid by learned counsel for the defendant no.1 to learned counsel for the plaintiff today in the court.

As per office note, fresh Vakalatnama filed by



learned counsel for the defendnat no.1 is on record.

As per office note, Written Statement and the documents filed by defendant no.1 are now on record. However, an application seeking condonation of delay in filing Written Statement filed by the defendnat no.1 is pending consideration.

Vide order dated 23.02.2024, the right of the defendant no.1 to file Affidavit of Admission/Denial of the documents was forfeited and resultantly, the documents filed by the plaintiff are deemed to be admitted by the defendant no.1 as per Chapter VII Rule 4 of Delhi High Court (Original Side) Rules.

Vide order dated 23.02.2024, Written Statement alongwith Affidavit of Admission/Denial of the documents filed by the defendant no.2 to 7 was taken on record. As per record, the defendant no.2 to 7 have also filed some documents. As per office note further, Replication alongwith Affidavit of Admission/Denial of the documents to Written Statement of defendant no.2 to 7 is on record. **Thus, pleadings qua defendant no.2 to 7 are complete.**

It is stated by learned counsel for the plaintiff that he has filed some documents alongwith Replication to the Written Statement of defendnat no.2 to 7, which are on record. **Learned counsel for the defendant no.2 to 7 submits that he has received copy of the documents but he does not wish to file any Additional Affidavit of Admission/Denial of the documents as he admits all the documents filed by the plaintiff alongwith Replication.**

Pleadings qua defendant no.8 to 10 are already complete.



At this stage, it is pointed out by learned counsel for the plaintiff that the documents filed by defendant no.1 cannot be taken on record as the order dated 16.04.2024 is not complied with by the defendant no.1 by which defendant no.1 was directed to file Certified Copy/Translated Copy of Annexures within three weeks. The defendant no.1 is directed to do the needful positively before the next date of hearing.

Re-notify the matter for completion of pleadings/further proceedings on 23.07.2024.

PRIYA MAHENDRA (DHJS)
JOINT REGISTRAR (JUDICIAL)

MAY 30, 2024/ab

Click here to check corrigendum, if any