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

+ **CS(OS) 51/2022**

CHITRA KHURANA & ANR. Plaintiffs

Through: Ms. Nina R. Nariman and
Ms. Geetika Kapur,
Advocates appeared
physically

versus

VEERESH MALIK Defendant

Through: Mr. Pulkit Deora,
Advocate appeared
physically

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

ORDER
% 16.02.2023

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

IA No. 20798/2022 (application filed by defendant u/S 151 CPC seeking condonation of delay in re-filing the IA No. 20797/2022)

This application has been filed for condonation of delay of 15 days in re-filing IA No. 20797/2022.

Heard. For the reasons mentioned in the application, the present application is allowed and delay of 15 days in re-filing IA No. 20797/2022 is condoned and IA No. 20797/2022 is taken on record.

IA stands disposed off.

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IA No. 20797/2022 (application filed by defendant u/S 151 CPC seeking condonation of delay in filing written statement)

Arguments heard.

Learned counsel for defendant has stated that defendant was suffering from mild cognitive impairment and he had undertaken treatment for long time and he is still suffering from Neurological symptoms of the problem, due to which he was unable to file written statement within the prescribed limitation period. The reasons for delay and medical condition of defendant is mentioned in the application as well as in rejoinder filed by defendant.

Learned counsel for the plaintiff has stated that she has no objection to the application, but for the delay caused in the case, defendant should be burdened with some cost.

Heard. Keeping in view the medical history of defendant, the application stands allowed and written statement alongwith affidavit of admission/denial and documents filed by defendant is taken on record. No cost is being imposed due to medical condition and peculiar circumstances of the case.

IA stands disposed off.

IA No. 21074/2022 (application filed by the plaintiffs u/O XII Rule 6 r/w Section 151 CPC seeking inter alia judgment on admission)

Reply filed by defendant.

Rejoinder, if any, may be filed within four weeks by the plaintiff with advance copy to the opposite party.

IA No. 1605/2022 (application filed by the plaintiff u/O 39 Rules 1 and 2 CPC seeking inter alia ex-parte ad-interim)

Reply not filed by defendant.



At request, last opportunity is granted to defendant for filing reply within four weeks with advance copy to the opposite parties.

Rejoinder, if any, may be filed before the next date of hearing.

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Written statement alongwith affidavit of admission/denial and documents filed by defendant has been taken on record today.

Replication alongwith affidavit of admission/denial may be filed within four weeks with advance copy to the opposite parties.

Plaintiff is directed to file Joint Documents Schedule within four weeks with advance copy to the opposite parties. Both the parties are directed to take steps for filing original signed pleadings and hard copies of the documents on record atleast one week before the next date of hearing. Both the parties are directed to appear alongwith original documents for marking of exhibits on the documents on the next date of hearing. The concerned official is directed to complete the file in all respects before the next date of hearing.

Put up for admission/denial and for marking of exhibits on 19th May, 2023.

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

FEBRUARY 16, 2023

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