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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CS(OS) 752/2022

MINU SUBBA

.....Plaintiff

Through: Ms. Aarohi Malik with Mr. Arjun Malik, Advocates (E-mail ID: legal@amacleggal.com & Mob. No.9810017346) (through VC).

versus

JYOTI SUBBA & ORS.

.....Defendant

Through: Mr. Kunal Sabharwal, Mr. Deepak Mahajan & Ms. Aishwarya Prasar, Advs. for D-1 to 3.

Mr. Arjun Aggarwal, Adv. & Mr. Bhaskar Aditya, Advs. for D-4 (Mob. No. 9873632138)

Mr. Manish Kumar Srivastava & Mr. Sagar Arora, Advs. for D-5 (Mob. No. 9871102052).

CORAM:

JOINT REGISTRAR (JUDICIAL) SH. DEVENDER KUMAR GARG (DHJS)

ORDER

21.02.2023

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I.A. No. 3404/2023 (by defendants no.1 to 3 u/S 5 of the Limitation Act for condonation of delay of 33 days in filing written statement)

1. Ld. Counsel for plaintiff accepts notice of the captioned IA and seeks time to file reply of the same.
2. The plaintiff may file reply to the captioned IA within four weeks and rejoinder thereto be filed within two weeks thereafter.



3. Re-notify the captioned IA for completion of pleadings and further proceedings on **14th July, 2023**.

CS(OS) 752/2022 & I.A. No. 20269/2022 (by plaintiff u/O XXXIX Rules 1 & 2 of CPC)

1. As per office noting, affidavits of service were filed on behalf of plaintiff on 06.12.2022 and 16.02.2023.
2. In view of the service report, the defendants no.4 and 5 have been served by way of ordinary mode and by speed post.
3. As per office noting, written statement filed vide diary no.262709 dated 15.2.2023 was returned under objection. Let appropriate steps be taken as per law.
4. Office noting further reveals that IA filed on behalf of the defendant vide diary no.262769/2023, 262765/2023 and 262722/2023 all dated 15.02.2023 were returned under objection. Let appropriate steps be taken as per law.
5. Office noting also shows that reply to the captioned IA was filed by the defendants no.1 to 3 on 15.02.2023. No rejoinder has been filed on behalf of the plaintiff.
6. The plaintiff may file rejoinder to the reply of defendants no.1 to 3 within two weeks.
7. Ld. Counsels for defendants no.4 and 5 submit that they had not received complete copy of plaint and documents with the summons and they have received the same only on 16.02.2023.
8. The defendants no.4 and 5 may file written statement and affidavit of admission/denial of documents as per law with advance copy to plaintiff, who may file replication and affidavit of admission/denial of documents thereafter as per law.



9. The defendants no.4 and 5 may file reply to the captioned IA within four weeks and rejoinder thereto be filed within four weeks thereafter.
10. Let the pleadings be completed as per law.
11. Re-notify the matter for completion of pleadings and further proceedings on **14th July, 2023**.

DEVENDER KUMAR GARG (DHJS)
JOINT REGISTRAR (JUDICIAL)
FEBRUARY 21, 2023/v
[Click here to check corrigendum, if any](#)