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

+ **CS(OS) 598/2019**

VINAY KUMAR HUF & ORS.

..... Plaintiffs

Through: Mr. Sanjay Gupta, Mr. Siddharth Mehra
& Mr. Ankur Sharma, Advs

versus

AJAY KUMAR HUF & ORS.

..... Defendants

Through: Mr. Rahul Malhotra, Adv for D1 to 3.
Mr. Ravi Pal, proxy counsel for Mr.
Kamlesh Anand, Adv for D4.
Ms. Anani A Chumo, Adv for D5 & 6.

CORAM:

MS. VANDANA JAIN (DHJS) JOINT REGISTRAR(JUDICIAL)

ORDER

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31.05.2022

No written statement has been filed by any of defendants. Learned counsel for defendant No.1 to 3 submits that defendant No.2 was out of town and therefore, written statement could not be filed within the time. He further submits that he will be filing the same during course of the day.

There is no dispute to the fact that statutory period to file written statement by all the defendants have already expired. On 14.01.2022, learned counsel for defendant No.1 to 3 sought time to file written statement. The same has not been filed till date. It is pertinent to mention here that on the very same day i.e. on 14.01.2022, defendant No.4 to 6 were also directed to file their



written statement within four weeks from that date, but no written statement on their behalf is on record even now.

As far as defendant No.5 is concerned, it has been recorded that defendant No.5 was served on 15.02.2022. However, no written statement of defendant No.5 is on record.

The order passed by Hon'ble Supreme Court in *Suo Motu WP (C) No. 3/2020* extending the period of limitation is not applicable now as the buffer period of 90 days has also expired. Therefore, opportunity to file the written statement on behalf of all the defendants stands closed.

Put up for PE on 30.08.2022.

VANDANA JAIN (DHJS)
JOINT REGISTRAR(JUDICIAL)

MAY 31, 2022
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