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

+ **CS(OS) 391/2022**
SUNIL KUMAR & ANR.

.....Plaintiffs

Through: Mr. Sangram Singh and
Mr. Rajesh Bansal,
Advocates.

versus

MAHENDER KEHAR SINCE DECEASED & ORS.

.....Defendants

Through: Mr. Vidit Gupta and Mr.
Trivesh Sharma,
Advocates for D1(a) to
D1(d).
Mr. Sudeep Sudan,
Advocate for D2 and D3.

CORAM:
JOINT REGISTRAR (JUDICIAL) SH. DEEPAK
DABAS (DHJS)

ORDER
15.01.2026

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IA No. 29519/2024 filed by defendant no.2 and 3 for
condonation of delay in filing WS.

1. Counsel for D2 and D3 submits that cost imposed upon
D2 and D3 vide order dated 15.10.2025 will be paid
within two days from today.

IA No. 29520/2024 filed by defendant no.4 u/O I Rule
10 CPC for deletion from array of parties.

1. None has appeared for defendant no. 4.
2. Even on last date of hearing i.e. 15.10.2025 none had
appeared for defendant no. 4.
3. Even prior to it i.e. on 22.05.2025 none had appeared



for defendant no. 4.

4. Even cost has not been paid by defendant no. 4.
5. From aforesaid conduct of defendant no. 4, I am of the considered view that defendant no. 4 is not interested in contesting the present suit.
6. Hence, captioned IA is hereby dismissed for non-appearance as well as non-prosecution.
7. The right of defendant no. 4 to file written statement also stands closed as defendant no. 4 has failed to file his written statement within stipulated time.
8. Re-notify on 24.03.2026 for arguments and disposal of IA No. 29519/2024.

**DEEPAK DABAS (DHJS),
JOINT REGISTRAR (JUDICIAL)**

JANUARY 15, 2026/anj