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

+ **CS(OS) 725/2024**

YASHPAL TYAGI AND ORS

.....Plaintiff

Through: Mr. Gaurav Bidhuri, Adv.

versus

HIMADRI SHEKHAR AND ORS

.....Defendant

Through: Mr. Shravan Dey & Mr.
Shubham Garg, Adv. for D-1 &
2 with D-1 in person (appeared
through VC)
Mr. Akshay Sharma, Adv. for D-
3
Smt. Sucharita Ghosh & Mr.
Navin Prakash, Adv. for D-4 &
5
Mr. Vishal Saxena & Deepakshi
Jain, Adv. for D-6
Mr. Sudhir Kumar, Adv. for D-
10 to 17

CORAM:

**JOINT REGISTRAR (JUDICIAL) SH. SUMIT
DALAL**

ORDER

23.03.2026

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**I.A.No.2054/2026 (under Order VII Rule 11 CPC filed
on behalf of defendant nos.1 & 2) &**

**I.A.No.2055/2026 (seeking condonation of delay in
filing IA No.2054/2026)**

1. As per office note, notice could not be issued as the process form was returned under objections. Notice is issued today. Notice is accepted by learned counsel for the plaintiff. Accordingly, formal issuance of notice is waived.



2. Let a copy of the captioned IA be supplied to learned counsel for the plaintiff and other defendants within two days through WhatsApp and email through their respective counsel.
3. Let the reply, if any, be filed within four weeks from today, with rejoinder, if any, within two weeks thereafter.

I.A.No.23990/2025 (under Order VIII Rule 1 CPC filed on behalf of defendant no.10 to 17 seeking condonation of delay in filing the written statement)

4. As per office note, no reply has been filed till date. Learned counsel for the plaintiff submits that he is not filing any formal reply and has no objection if the captioned IA is allowed.
5. Learned counsel for Defendant Nos. 10 to 17 submits that the delay in filing the written statement is of 35 days and prays for a liberal view.
6. In view of the submissions made and the no objection given, and taking a liberal view in the interest of justice, the delay in filing the written statement on behalf of Defendant Nos. 10 to 17 is condoned.
7. Accordingly, the application is allowed and the written statement of Defendant Nos. 10 to 17 is taken on record.
8. The IA stands disposed of accordingly.

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9. As per office note, the service report qua Defendant No. 8 is awaited. It is further noted that WhatsApp service has been effected by the Registry and double tick is reflected; however, the delivery/read receipt has not



been placed on record. The concerned branch is directed to place the WhatsApp report/receipt on record within one week from today.

10. As per order dated 19.12.2025, written statements on behalf of Defendant Nos. 3, 4 and 5 have already been filed. Today, the delay in filing written statement on behalf of Defendant Nos. 10 to 17 has been condoned and their written statement has been taken on record.
11. Let the replication, if any, to the written statements already filed be filed within the stipulated time period as per law.
12. List for completion of pleadings and further proceedings on 28.07.2026.

SUMIT DALAL, (DHJS)
JOINT REGISTRAR (JUDICIAL)
MARCH 23, 2026/nk