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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CS(OS) 768/2024

SHRI VIVEK PREMKUMAR GUPTA & ANR.

.....Plaintiff

Through: Ms. Swastika Singh, Adv.

versus

MS. BRIGITTE LAXMI SINGH & ORS.

.....Defendant

Through: Mr. Sanjay K. Shandilya with Mr.
Adit Srivastava, Adv. for D-2 & 3.

Ms. Prabhsahay Kaur, Standing
Counsel with Mr. Aditya Verma &
Ms. Kavya Shukla, Advs. for D-4/
DDA.

Ms. Avni Singh, Panel Counsel for
GNCTD with Ms. Prapti Singh,
Adv. for D-5 and D-6.

D-1 is yet to be served.

CORAM:

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

ORDER

16.05.2025

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Proceedings are being conducted through hybrid mode.

CS(OS) 768/2024;

**I.A. No. 40384/2024 (by plaintiff u/S 151 CPC and u/S 5
of Limitation Act for condonation of delay of 37 days in
re-filing of suit)**

1. Pleadings in the suit qua defendants no.2 & 3 are already
complete.

2. Perusal of record shows that written statement alongwith
affidavit of admission/denial and documents with list of
documents were already filed by defendant no.4.

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3. As per office noting application alongwith affidavit of admission/denial of documents have been filed on behalf of the plaintiff qua defendant no.4.
4. Office noting further shows that written statement filed on behalf of defendant no.5 vide diary no.848086/2025 was returned under objection.
5. Perusal of record shows that vide order dated 27.2.2025, delay in filing written statement on behalf of defendant no.5 was condoned, however, the same is still lying under objection.
6. Ld. Counsel for defendant no.5 has submitted that she has not filed affidavit of admission/denial of documents and seeks time for filing the same and removing objections in the written statement. Let appropriate steps be taken as per law by defendant no.5 for getting written statement and affidavit of admission/denial of documents placed on record.
7. It was already submitted on behalf of defendant no.6 that the said defendant did not wish to file written statement and affidavit of admission/denial of documents in the present matter.
8. It was already submitted on behalf of defendants no.2 to 6 that they did not wish to file any reply to the captioned IA and have no objection if the same is allowed.
9. Office noting shows that service report of summons issued to the defendant no.1 by email/WhatsApp in terms of order dated 27.02.2025 is awaited.
10. At request, issue fresh summons of suit and notice of the

captioned IA to defendant no.1 through email as well as WhatsApp for the next date. The plaintiff is directed to

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file affidavit of service at least one week before the next date of hearing.

11. The defendant no.1 shall file written statement, affidavit of admission/denial of documents and reply to the captioned IA within 30 days from the date of service with advance copy to the plaintiff, who may file replication, affidavit of admission/denial of documents and rejoinder qua the captioned IA thereafter within 30 days.
12. Let the pleadings be completed as per law.
13. Re-notify the present matter for completion of service, completion of pleadings and further proceedings on **30th July, 2025.**

DEVENDER KUMAR GARG (DHJS)
JOINT REGISTRAR (JUDICIAL)

MAY 16, 2025/v

Click here to check corrigendum, if any