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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CS(OS) 769/2024

SHRI VIVEK PREMKUMAR GUPTA & ANR.

.....Plaintiff

Through: Mr. Arvind Bhatta & Ms. Swastika
Singh, Advs.

versus

SHRI ROHIT DUGGAL & ORS.

.....Defendant

Through: Defendants are yet to be served.

CORAM:

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

ORDER

07.10.2024

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Proceedings are being conducted through hybrid mode.

I.A. No. 40385/2024 (by plaintiffs for exemption from filing original/certified copies of documents and from filing better / legible / typed copies of DIM Annexures) &

1. Heard. Subject to all just exceptions, exemption is allowed for the present. The plaintiffs shall file original / certified copies of documents as and when directed by the Hon'ble Court or Joint Registrar (Judicial).
2. The captioned IA stands disposed off accordingly.

CS(OS) 769/2024 &

I.A. No. 40386/2024 (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)

3. The matter is listed today for consideration. Let the plaint be registered as suit.



4. Ld. Counsel for plaintiff submits that the plaintiff wishes to drop prayer (iii) of Prayer para 57 of the plaint as the plaintiff does not wish to rely on the said prayer clause (iii). She has further submitted that she has instructions from the plaintiffs to make such statement. Statement of Ld. Counsel for plaintiff has been recorded separately.
5. In view of statement of plaintiff, prayer (iii) of Prayer para 57 of the plaint be treated as dropped.
6. Issue summons of suit and notice of captioned IA to the defendants through all permissible modes for next date of hearing.
7. The defendants 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.
8. Let the pleadings be completed as per law.
9. Re-notify the present matter for completion of service, completion of pleadings and further proceedings on **02nd December, 2024.**

DEVENDER KUMAR GARG (DHJS)
JOINT REGISTRAR (JUDICIAL)

OCTOBER 7, 2024/v

Click here to check corrigendum, if any