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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CS(OS) 1471/2012

VINITA SHARMA & ORS

..... Plaintiff

Through: Ms. Mrinalini Sen & Ms. Rima
Rao, Advs.
Mr. Rajat Oswal, Adv. for P-2
(appeared through VC)

versus

SANJAY SHARMA & ORS

..... Defendant

Through: Mr. Deep Dhamija, Adv. for D-1,
2 & 4 (appeared through VC) &
Ms. Santoshi Yadav, Adv.
Mr. Yashwant Nair & Mr.
Sidharth Nair, Adv. for D-5 & 6

CORAM:

**JOINT REGISTRAR (JUDICIAL) SH. MANISH
SHARMA, (DHJS)**

ORDER

29.04.2025

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**I.A.No.4854/2025 (under Order VIII Rule 1 CPC filed
on behalf of defendant nos.1, 2 & 4 for condonation of
delay in filing written statement to the amended plaint)**

1. As per office note, written statement and affidavit of admission/denial of documents have been filed on behalf of defendant nos.1, 2 & 4.
2. No reply to the captioned IA has been filed.
3. Learned counsel for the plaintiff no.2 submits that he has no objection, if the captioned IA is allowed.

This is a digitally signed order. 4. Heard. Record perused.

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11/03/2024, the Hon'ble Court allowed the application under Order VI Rule 17 CPC filed on behalf of plaintiff no.2. The plaintiff no.2 has filed amended memo of parties along with amended plaint on 16/10/2024. Thereafter, the defendant nos.1, 2 & 4 have filed the written statement for the first time on 13/01/2025, which was returned under objection. Thereafter, defendant nos.1, 2 & 4 have again filed their written statement which was returned under objection. Now the defendant nos.1, 2 & 4 have filed their written statement.

6. It is averred that the written statement could not be filed by defendant no.2 within the stipulated period due to illness of his aged mother, who is 80 years old and due to studies of his children.
7. It is evident from the record that the defendant nos.1, 2 & 4 have failed to file their written statement to the amended plaint within the stipulated period of 30 days, however, they filed their written statement within the extended period of 120 days. Accordingly, in view of the reasons assigned in the application, the captioned IA is allowed. Delay in filing the written statement by defendant nos.1, 2 & 4 is condoned and the same are taken on record.
8. IA stands disposed of.

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9. As per office note, written statement and affidavit of admission/denial of documents have been filed on behalf of defendant nos.1, 2 & 4.

10. Let the pleadings be completed as per law.

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11.Re-notify the matter for completion of pleadings and admission/denial of documents on **21st August, 2025.**

**MANISH SHARMA, (DHJS)
JOINT REGISTRAR (JUDICIAL)**

APRIL 29, 2025/nk

Click here to check corrigendum, if any

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