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

+ **CS(OS) 110/2017**

SOUTH DELHI MUNICIPAL CORPORATION Plaintiff
Represented by: **Mr. Rakesh Mittal, Advocate.**

versus

DELHI GURGAON SUPER CONNECTIVITY LTD..... Defendant
Represented by: **Mr. Gautam Bajaj, Adv. for D-1.**
Mr. Neeraj Malhotra, Sr. Adv. with
Mr. Ajit Warriar, Mr. Sharad Kharra,
Mr. Devansh Agarwal, Ms. Arundhati
Srivastava, Advs. for D-2.
Mr. Ajit Warriar, Mr. Sharad Kharra,
Mr. Devansh Agarwal, Ms. Arundhati
Srivastava, Advs. for D-3.

CORAM:
HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

% **22.10.2020**

The hearing has been conducted through Video Conferencing.

I.A.9720/2020 (under Order VIII Rule 1 and 10 CPC-by defendant No.2)

1. By this application defendant No.2 (now known as IDFC First Bank Limited) under Order VIII Rule 1 & 10 CPC has sought condonation of delay of 1209 days in filing the written statement.
2. Learned senior counsel for the defendant No.2 at the outset states that in fact there is no delay in filing the written statement. Further, the learned Joint Registrar vide order dated 9th September, 2020 has already closed the right of the defendant No.2 to file the written statement and thus the present



application would not be maintainable and the defendant No.2 is required to file a chamber appeal.

3. Learned counsel for the defendant No.2 thus seeks leave to withdraw the present application with liberty to file the chamber appeal. Leave and liberty granted.

4. Application is dismissed as withdrawn.

5. Order be uploaded on the website of this Court.

MUKTA GUPTA, J.

OCTOBER 22, 2020
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