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

CNR No. DLHC010795042025

+ **CS(OS) 741/2025, CCP(O) 125/2025, I.A. 25853/2025, I.A. 27482/2025, I.A. 1744/2026, I.A. 3608/2026 & I.A. 19296/2026**

MR SYED AZIZ UR RAHMANPlaintiff
Through: **Mr. Surya Kiran, Mr. Arvind Jain and**
Mr. Abhinav Chakarvaty, Advocates.
versus

MRS JASMINE SAINI AND ORSDefendants
Through: **Mr. Muhammad Ali Khan, Mr. Omar**
Hoda, Ms. Eesha Bakshi, Ms. Ayesha
Khan, and Mr. Kamran Khan,
Advocates for D-7.
Mr. Mohd Irshad Hanif, Advocate for
D-8 and 9.
Mr. Kanishk Rana, Advocate for the
D-14

CORAM:
HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

% **07.08.2026**
I.A.21288/2026 (Condonation of Delay)

1. This is an application under Section 5 of the Limitation Act, 1963 read with Section 151 of the Code of Civil Procedure, 1908 (hereinafter referred to as “CPC”) filed on behalf of the applicants/defendant nos.8 and 9 seeking condonation of delay of 105 days in re-filing I.A. 21287/2026 seeking transposition as plaintiffs.
2. Issue notice.
3. Notice is accepted by Mr. Surya Kiran, learned counsel for the plaintiff as also Mr. Muhammad Ali Khan, learned counsel for the



non-applicant/defendant no.7, Mr. Kanishk Rana, learned counsel accepts notice on behalf of defendant no.14.

4. For the reason stated therein, the application is allowed. The delay of 105 days in re-filing I.A. 21287/2026 seeking transposition of defendant nos.8 and 9 is condoned.

5. The application stands disposed of.

I.A. 21287/2026 (Order XXIII Rule 1-A r/w Order I Rule 10 of the CPC)

6. This is an application under Order XXIII Rule 1-A read with Order-I, Rule 10 of the CPC filed on behalf of defendant nos. 8 and 9 seeking the transposition as plaintiffs.

7. The defendant nos.8 and 9 claim to be sibling of late Mr. Syed Habeeb-ur-Rehman and are also siblings of the Mr. Khaleel Syed Rehman/the defendant no.7.

8. Issue notice.

9. Notice is accepted by Mr. Surya Kiran, learned counsel for the plaintiff as also Mr. Muhammad Ali Khan, learned counsel for the non-applicant/defendant no.7.

10. Learned counsel for the non-applicants state that they have no objection in case the defendant nos.8 and 9 are transposed as plaintiffs.

11. In view thereof, the application is allowed. The applicants/defendant nos.8 and 9 are transposed as plaintiff nos.2 and 3.

12. An amended memo of parties shall be filed within one week from date.

CS(OS) 741/2025

13. Learned counsel for the parties state that they would be open to explore amicable settlement of the disputes and pray for reference to mediation.

14. Mr. Mohd Irshad Hanif, learned counsel for the newly transposed plaintiff nos. 2 and 3 objects to the said reference on the ground that he does not have any instruction in this regard.



15. The said statement is noted.

16. Accordingly, parties are referred to mediation. The parties may appear before the Delhi High Court Mediation and Conciliation Centre on 12.08.2026 at 04:30 p.m. alongwith their counsel, if required.

17. List on 29.09.2026 awaiting outcome of mediation, failing which, I.A. 27482/2025 (under Order VII Rule 11 (b) and (c) of the CPC) shall be taken up for consideration.

TUSHAR RAO GEDELA, J

AUGUST 7, 2026

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