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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(OS) 224/2016**
SMT ANITA ROY Plaintiff
Through Mr. Lakhmi Chand, Adv.
versus
SH SAMIR MAJUMDAR & ORS Defendant
Through Mr. S. K. Bhaduri, Adv. for D-1
Ms. Mrinalini Sen Gupta, Adv. for
D-2&4

CORAM:

SHARAD GUPTA (DHJS), JOINT REGISTRAR (JUDICIAL)

ORDER

% **13.02.2019**

CS(OS) 224/2016 and IA No.5750/2016 u/O XXXIX R1&2 CPC
moved by plaintiff

Pleadings qua defendant no.1 are complete in the captioned IA. Rejoinder to reply of defendant no.2&4 has not been filed till date. Learned counsel for plaintiff submits that he received email from the plaintiff yesterday itself intimating that the plaintiff does not wish to proceed further with the present suit. It is submitted that appropriate steps in this regard will be taken shortly. Plaintiff is at liberty to proceed as per law and no further direction in this regard is warranted.

Re-notify on next date of hearing.

IA No.262/2018 u/S 151 CPC for directions moved by defendant no.2&4

Pleadings in the captioned IA qua plaintiff are complete.

Rejoinder to the reply of defendant no.1 has not been filed by defendant no.2&4. Learned counsel for defendant no.2&4 submits that she does not wish to file any rejoinder to the reply of defendant no.1. Thus, pleadings qua defendant no.1 are also complete.

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Remaining defendants have not filed reply to the captioned IA.

Re-notify on next date of hearing.

IA No.13875/2018 u/O XXXIX R1&2 CPC and IA No.13876/2018 u/O X R 2 CPC; both IAs moved by defendant no.1

Pleadings in the captioned IAs qua plaintiff are complete.

Reply not filed by defendant no.2 to 5. None is present on behalf of defendant no.3&5 to explain in this regard.

Learned counsel for defendant no.2&4 submits that reply has been prepared but could not be filed as said defendants are unwell. Adjournment sought for filing reply. Strongly opposed. In the interest of justice, one last opportunity is granted to defendant no.2 &4 and 3&5 respectively to file reply, if any, within one week, failing which cost of Rs.10000/- shall be imposed upon the defendants i.e. 2&4 and 3&5 respectively to be paid to the defendant no.1.

Re-notify for completion of pleadings on captioned IA for 13.03.2019.

**SHARAD GUPTA (DHJS)
JOINT REGISTRAR (JUDICIAL)**

FEBRUARY 13, 2019/ab