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

+ CS(OS) 268/2018

SH. PRAMOD KUMAR KHOSLA Plaintiff

Through: Mr.S.C.Kalra & Ms.Indra Mani,
Advocates.

versus

SH. PRAVEEN KUMAR KHOSLA & ORS Defendants

Through: Ms.Asiya Khan, Advocate for D-4
& D-5 [applicant in IA 2078/2020]

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **13.02.2020**

I.A. 2078/2020 (by defendant Nos.4 & 5 seeking waiver from costs)

1. Issue notice. Mr.S.C.Kalra, learned counsel for the plaintiff, accepts notice. With the consent of the counsel, the application is taken up for disposal.

2. By this application, defendant Nos. 4 and 5 seek waiver of costs of ₹25,000/-, imposed upon them by the order of this Court dated 18.12.2019. The said order was passed on the appeal of the applicant [O.A. 155/2019], against the order of the Joint Registrar dated 06.05.2019, by which their right to file written statements in the suit was closed. By the order dated 18.12.2019, the appeal was disposed of with the consent of learned counsel for the plaintiff and defendant Nos. 4 and 5, laying down the timeline for filing of the written statements and the affidavit of admission/denial, upon payment of costs of ₹25,000/-.

3. In this application, the applicants have sought waiver of costs on the ground of their financial circumstances, as detailed therein.

4. I do not find any ground to waive the costs in totality, in view of the circumstances mentioned in the order dated 18.12.2019 and, particularly, the fact that the order was passed with consent of counsel for the plaintiff and defendant Nos. 4 and 5. However, having regard to the averments made in the application, the quantum of costs is reduced to ₹15,000/-. Learned counsel for the plaintiff has graciously consented to this order.

5. The application stands disposed of in these terms.

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1. Learned counsel for defendant Nos. 4 and 5 states that their written statement and affidavit of admission/denial have already been filed. The same may be taken on record, upon the payment of costs as aforesaid.

2. List before the Joint Registrar on the date already fixed, i.e. 24.03.2020, for completion of pleadings, admission/denial of the documents and marking of exhibits.

3. List before Court on the date fixed, i.e. 21.04.2020.

PRATEEK JALAN, J

FEBRUARY 13, 2020

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